

Human-Security, State-Capacity and Post-Conflict Reconstruction:
An analysis of the question of development oriented governance in
Post-Genocide Rwanda, 1994-2005.

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Dissertation completed in fulfillment for the Degree of a Doctor of
Social Sciences (Dr. rer .pol) from the Faculty of Law and Social
Sciences at the University of Erfurt.

2015

urn:nbn:de:gbv:547-201500143.

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Date of Disputation: 28 April, 2015.

Rwanda, my mother, let me console you,
That's why I was born, and you brought me up,
Now that I've grown up, and have the strength,
Now that I'm mature enough, let me work for you,
I will console you using the gifts you entrusted me.

Acknowledgments

My deepest thoughts of gratitude are with Professor Dr. Florian Hoffmann of the University of Erfurt who accepted to be my adviser. His thought-provoking advice was always crucial in refining my thoughts. His availability and accessibility allowed me a measure of opportunity to engage in a consultation-continuous process with him throughout my study period. His belief in academic independence also allowed me a measure of latitude to explore my thoughts to their logical conclusion. I will always think of him with respect and admiration. Urakoze Cyane-I thank you very much.

I am also grateful to Prof. Dr. Dieter Neubert of the University of Bayreuth and Prof. Dr. Heike Grimm of the University of Erfurt for having accepted to be part of my examination committee despite their tight schedules. Mwebale nyo- I thank you very much.

This study was funded by the DAAD, a gift to me and the many people who will benefit from my knowledge for the many years to come. I also extend a token of appreciation to Mr. Dennis Binder, my consultant –in-Charge at DAAD, Germany Academic Exchange Services. His always on time advice and the timely coordination of my scholarship entitlements made me feel comfortable as I undertook the arduous but rewarding experience, that is, Doctoral Studies. Asante Sanna- I thank you very much.

There are people who intellectually inspired me, my mentors: Prof. Thomas Kane, Senior Lecturer at the University of Hull in the United Kingdom, Dr. Ssimba-Sallie Kayunga of Makerere University, Prof. Murindwa-Rutanga of Makerere University, Mr. Ndawula Daniel of Kyambogo University, Dr. Sewanyana Senkomago of Kyambogo University, Dr. Paul Omach of Makerere University, Prof. Julius Kiiza of Makerere University, Prof. AGG Ginyera Pincywa(RIP) of Makerere University, Dr. George Okiror, Mr. Aaron Mukwaya, Dr. Phillip Kasaija of Makerere University, Prof. Augustine Wamala of Kyambogo University, Dr. Nahamya Wilfred of Kyambogo University, Dr. Christopher Twesigye, Mr. Bazirakye Kaguta, then, of Kyambogo University, Dr. Katusiime Messarch, then, of Kyambogo University, Mr. Ronald Kaddu of Kyambogo, Ms. Scovia Magara of Kyambogo University, Dr. Elizabeth Kyazike of Kyambogo University, and Robert Ojambo of Kyambogo University. To you all I say: Thank you.

My gratitude is also with the PhD Colloquium team at the Willy Brandt School at the University of Erfurt; Prof. Dr. Florian Hoffmann for your enduring stewardship, Prof. Dr. Solveig Richter for your encouragement, Ulugbek, Raghav, Olivia, Miriam, Wilfried, Pablo, Aline, Assef, Imdad, Anwasha, Marek, Laura-Lee, Janine: you are great people. Very many thanks Carolin Eichholz and Stefanie Zimmerman (the Assistants to Prof. Hoffmann) for the assistance well rendered during my stay at the University of Erfurt.

To you Musoni (Moto Moto) who strategically guided me during my field visits in Rwanda, I thank you Hassan Twinomugisha (May your soul rest in eternal peace, for Leukemia got you off the face of the earth in January 2015), for the wonderful guidance you gave during my visits in the ``Land of a thousand hills``. Thank you Ndyanabo (muvandimwe) who tactfully guided me during my brief but very rewarding field visits in the Eastern Congo; my good old field, Furahini Mgimbwa, who painstakingly guided me to the location areas of the few but very important informants in Tanzania who had been snowballed by the associates of Musoni; Ndugu (Brother) Nsimbi Isaac who carefully guided me during my DAAD funded family re-unions turned into quick field visits in Uganda and ably identified the ``men with the information``; Kabuye James (Muko) of Kyambogo University who continuously accompanied me during some of my quick field visits in Uganda and continuously reminded me of the econometrics of conflict data. And to you Nalongo in Nyabugogo, Kigali Rwanda, much as we did not know each other, your seemingly Ugandan restaurant in Rwanda, provided me with ``Our food`` ``Amatooke``. Murakoze cyane-I thank you very much.

The flowers are for you Dearest Rose Kaweesi for taking good care of our little angels: Silver, Gladys, Gloria, and Patience during my long absence. Your prayers, patience and tears have not been in vain, you know, here we are. ``Webbale nyo mukwano``--thank you dearest.

Need I say more?

Abstract

This study generally obtains from the analytical boundaries of the discipline of political science. Its point of departure is that scholarship on Post 1994 Rwanda which, among other inherent flaws, is inundated with narratives about the causes of the Genocide and its immediate outcome like the number of deaths, yet its violent-continuous outcome particularly the resurgence of violence which led to visitations of violent conflict in Rwanda during its post-conflict reconstruction phase is scantily delineated. The theoretical and public-cum-Security policy meaning of how the Rwanda Patriotic Front managed to address the resurgence of violence is the major undertaking of this study.

For that matter, in method, the study is qualitative; obtaining from archival analysis, histories, case study and literature survey. It draws from documentary sources, publications and scholarly journals, newspaper reports, official and unofficial documents of government, bodies, Non Government Organisations and intergovernmental bodies, international and local legal instruments, archival records, key informant interviews, and video and audio records as ``units of data collection`` and the Hutu refugee phenomenon as the ``unit of analysis``; in order to problematise Rwanda's post-conflict reconstruction phase, particularly its development in state capacity. To that effect, the either supporting or off-putting evidence from Rwanda during the period in review, 1994-2005, was examined basing on the logic of the grounded theory methodology, specifically the ``theoretical elaboration`` procedure of Vaughan, to interrogate the meaning of state capacity, human security and the related debates, in the quest for an analytical framework to aid in explaining and understanding the issues which structured the resurgence of violence that bedeviled the post conflict reconstruction phase of post genocide Rwanda.

Accordingly, in its quest to understand and explain: how Rwanda's development in state capacity addressed the resurgence of violence which punctuated Rwanda's post-conflict reconstruction period, the innovative contribution of this study to the body of knowledge about Rwanda and to the debate surrounding its conceptual concerns is that: Rwanda's post-conflict reconstruction phase teaches us that where state capacity fails to address and maintain the ``human security condition`` of the populace, violent conflicts are abound as political demagogues manipulate the ``human insecurity effect`` on the people to mobilise them into group violence. Also it emerges that where threats to human security and state security converge to lead to a resurgence of violence during post-conflict reconstruction, development in state capacity is inevitably tilted towards addressing state security related concerns at the expense of human security related concerns, thus, a ``security dialectics``; a somewhat metaphysical convergence of human security and state security at the causative level of the resurgence of violence, and the emergence of a somewhat ``boomerang effect``, inevitably latent at the public policy level of addressing a resurgence of violence as a focus on addressing state security undermines human security and consequently state security itself; leading to a somewhat conflict-continuous condition punctuated with violence and destruction.

Keywords: Human Security, State Capacity, Post-Conflict Reconstruction.



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List of abbreviations and acronyms

ADF-Allied Democratic Forces

ADP-Alliance Democratique de Peuples

AfDB – African Development Bank.

AliR- Armee pour la Liberation du Rwanda. English: Army for the Liberation of Rwanda

ARC-Australian Research Council

BMZ-Germany Federal Ministry for Economic Cooperation and Development

CARE-Cooperative for Assistance and Relief Everywhere

CARITAS- Catholic Relief Development and Social Service

CNRD- Conseil national de resistance pour la democratie.

CPI-Consumer Price Index

DATT- The United States Defense Attaché

DFID-UK, Department for International Development

DMI- Directorate of Military Intelligence

DRC-Democratic Republic of Congo

ESO- External Security Organisation

FAR-The Forces Armees Rwandaïses, English: Rwandan Armed Forces

FAZ- Forces Armee Zairoises

FDLR- Democratic Forces for the Liberation of Rwanda

FIDH- International Federation of Human Rights

GDP – Growth Domestic Product

GLR-Great Lakes Region

HIV/AIDS- Human Immune Virus/ Acquired Immune Deficiency Syndrome

ICISS- International Commission on Intervention and State Sovereignty

IDPC-Internally Displaced People's Camps

IGOR-Interim Government of Rwanda

IMF- International Monetary Fund

IRC- International Red Cross

KAMATUSA- Kalenjin, Masai, Turkana, Samburu.

MDGS-Millennium Development Goals

MDR-PERMAHUTU-Mouvement democratique republicain permehutu, English: Permahutu Democratic Republican Movement.

MINECOFIN-Ministry of Finance and Economic Planning

MRLZ- Mouvement Revolutionnaire pour la liberation du Zaire.

MRND- Mouvement republicain National pour la democratie et le Developement, English: National Republican movement and Development.

MSF- Médecins sans Frontieres

NBR-National Bank of Rwanda

NGO-Non Government Organisation

PERMAHUTU- Parti du Mouvement de l'Emancipation Hutu; English: Party of the Hutu Emancipation Movement

RCD-Goma- The Rally Congolese Democracy-Goma

RPA- Rwanda Patriotic Army

RPF- Rwanda Patriotic Front

RPR-Reassemblment Pour la Democratic et le Retour de Refugees.

RRA- Rwanda Revenue Authority

SADC-The Southern African Development Community

SANDEF- South African National Defence Forces

SDR- Special Drawing Rights

SIDA- Swedish International Development Agency

UNAMIR- United Nations Assistance for Rwanda

UNAR- Union Nationale Rwandaise. English: Rwanda National Union

UNDP- United Nations Development Programme

UNESCO-United Nations Educational Scientific and Cultural Organisation

UNHCR-United Nations High Commissioner for Refugees

UNOCHA-United Nations Office for the coordination OF Humanitarian Affairs

UPDF- Uganda Peoples Defence Forces

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Preface

This study is not only generally historical in its treatment, but it also has a history; for between 11th to 13th March, 2009, the researcher (I) was part of the HIV/AIDS Conference for the African Military which was jointly organised by the African Union, Institute of Security Studies based in South Africa, and the Uganda Peoples Defence Forces (UPDF).

At the conference, a debate ensued to the effect that since HIV/AIDS affects both the officers and men of the militaries, and the civilians; that civilians infect soldiers and vice versa, and that soldiers have civilian relatives who are constantly decimated and orphaned by HIV/AIDS. The researcher (I) had reasoned that: the fight against the HIV/AIDS scourge in the military would be incomplete without involving the military in attempts aimed at curbing the spread of HIV/AIDS among the civilians.

The logic of the submission by the researcher was informed by the theoretically alluded to convergence of human security concerns (in this context HIV/AIDS) and state security concerns (in this context African militaries). He (I) argued that HIV/AIDS had, albeit unfortunately, blurred the ``curtain wall`` between the military and the civilians, thus the harmonisation of civil-military relations. What followed was a brief debate of the probable policy framework and contexts under which the civil-military relations of HIV/AIDS would be addressed. The researcher later problematised HIV/AIDS and the military within the theoretical frameworks of human security, state capacity, bio-politics and the theory of civil-military relations in the context of Uganda. The outcome was a monograph submitted for the award of a Master of Arts in International Relations of Makerere University.

However, among the several contexts which were discussed during the conference was that of post-conflict reconstruction and HIV/AIDS, more so where the authorities are overwhelmed by several demands particularly that of addressing a resurgence of violence. Evidence adduced was generally anecdotal, but the agenda, in passing though, was broadened to encompass other issue areas, inter alia, food security, economic security, environmental security as issue areas which the militaries in Africa ought to focus on, but the recommendations made were HIV/AIDS specific.

The HIV/AIDS focus aside, this study carries forward the discussion within the context of post-conflict reconstruction punctuated with a threat of a resurgence of violence within the broadened agenda of the discussion which it puts in a nutshell as human security; with the state (government) as the agent that is supposed to operationalise its state capacity (ability) to ensure human security during post-conflict reconstruction. The push and pull issue areas in that scheme of things are of particular interest to this study and its elaborate narrative. The focus, at the formal theoretical level, is on problematising human security and development in state capacity within the context of post-conflict reconstruction with the resurgence of violence interference.

Accordingly, a pilot case study aimed at testing the viability of the initial conceptualisation of the study and data collection procedures was conducted in 2010 with a focus on Rwanda.

The choice of the context, that is Rwanda, was informed but by three issues; first that the civil-war in Rwanda which started in 1990 culminated into a genocide that had no equal precedent in the history of post-colonial Africa, second that whereas the conflict in Rwanda ended in 1994 with disastrous effects, the capacity of the Rwandan state/government to function was quickly restored at least to functioning normality, that by 1995, the Rwanda Patriotic Front had successfully exerted its control and influence to cover the whole territory of the Central African State, and third that the events that took place in Rwanda had great ramifications on the geo-politics of the Great Lakes Region. The genocide in Rwanda, particularly against the Tutsi, saw a somewhat pre-emptive violence against the Hutus in Burundi as an attempt by the Tutsi in Burundi to avoid the Rwandan experience.

Also, the genocide in Rwanda saw the movement *en masse* of the Hutu political elites, together with more than a million Hutu civilian refugees and literally created another ``Hutu State`` in Eastern Congo. The Hutu refugee phenomenon in the Eastern Congo saw a resurgence of violence in Rwanda and as this study illustrates later, this Hutu refugee phenomenon also inadvertently saw the collapse of Mobutu's regime in Zaire, and posed a security threat to the stability of Tanzania and Uganda.

Accordingly, to thwart the security threat which the Hutu refugee phenomenon presented to Rwanda, the Rwandan government led by the Rwanda Patriotic Front entered into the Eastern Congo, the then Zaire, and militarily dislodged the Hutu refugee warriors. The incursions of the Rwanda Patriotic Army against the refugee warriors were later to give way to the imperativeness of overthrowing Mobutu's regime in Zaire as a way of further neutralising the Hutu warrior threat by denying them a guardian in Mobutu. The incursions of the post genocide government led by the RPF in Zaire (now DRC) depicted the ability of the Rwandan government implement its military security policy and its military ability that enable it to penetrate the diverse Congo from its Eastern part to its Western located Capital Kinshasa and eventually overthrew Mobutu. Indeed whereas throughout its known history the Rwandan state has been defined as possessing a bureaucracy with a capacity to implement policies and penetrate the Rwanda society, the incursions of Rwanda into the Congo to repulse the Hutu refugee warriors for the period September 1996 to 1997 at the fall of Kinshasa depicted Rwanda's ability to penetrate other territories in its quest for its internal stability.

Indeed the enduring Rwandan refugee phenomenon has had a historical influence in the body politics of the Great Lakes Region, for some members of the RPF, as refugees in Uganda who ran away from Rwanda after the Hutu revolution of 1959, later became part of the National Resistance Movement and the National Resistance Army, which successfully waged an armed rebellion in Uganda in the 1980s against Milton Obote the then President of Uganda. Particularly, Paul Kagame and Fred Rwigema, men who were at the helm of the Rwandan armed rebellion against the government of Habyarimana were equally very instrumental in the Yoweri Museveni led armed rebellion and subsequently served in his government. Kagame served as the Chief Intelligence Officer in Yoweri Museveni's government after the war which ended in 1986 and Rwigema who had served Deputy Commander of the First Mobile Force of the NRA rebel group which was led by Museveni later became the Deputy Minister of Defence and Deputy Commander in Chief of the National Resistance Army in 1986 upon the overthrow of the then Uganda Government which was being led by the so called Military Junta of Tito Lutwa Okello and Bazilio Olara Okello. This serves to underscore the extent to which the violent conflicts in Rwanda have had ramifications on the politics of the region. The

violence in Rwanda has variously had an impact of the political power configuration of the Great Lakes Region; particularly as a result of its refugee generating capacity, and it such a system of things discussed in the paragraphs preceding this that informed the logic of choosing Rwanda as a general case for this study.

1 CHAPTER ONE

1.1 Introduction

To investigate the viability of the conceptual concerns of this study, which emerged from the deliberations of the conference delineated in the ``prologue``, a pilot study was first conducted at the beginning of 2010. The pilot study was oriented by the question:

What led to the resurgence of violence in Rwanda, and how did the government in Rwanda address it?

Accordingly, the pilot case study, which preceded this detailed study, based on literature survey, and focused interviews with scholars and security policy practioners on the Great Lakes Region to bring to bear that Rwanda during its post conflict reconstruction phase variously made considerable progress in the development of Rwanda`s state capacity in the aftermath of the conflict which culminated into the genocide, but how the attained levels of state capacity addressed the resurgence of violence is an issue not delineated. Also from the pilot case study it emerged that the refugee related issues that could be collapsed into the human security conceptual categorisation were at the centre of the resurgence of violence, but the conceptual and policy meaning of that system of things is not sustained.

To sustain the outcomes of the pilot study a focused central question was adopted to orient this detailed inquiry into the concerns of the study. The question was as follow: How did the development in the state-capacity of Rwanda during post-conflict reconstruction serve to address the human security issues which threatened a resurgence of violence?

To broaden the analytical scope of the study the following specific questions were adopted:

1. How did human security concerns historically structure violence during the genocide and did the weaknesses in state-capacity aggravate the situation?

2. How did human security concerns threaten a resurgence of the structure of violence during post-conflict reconstruction, and did they also serve to undermine state-security?
3. What was the nature of Rwanda's development in state capacity during post-conflict reconstruction?
4. How did the development in Rwanda's state capacity during post-conflict reconstruction serve to address the human security concerns that threatened and subsequently led to the resurgence of violence?

1.1.1 Summary of the content of the Chapters

Apart from the introductory chapter and the conclusions, the rest of the chapters of this study obtain from the aforementioned questions, and they are organized basing on the logic of ``theory building structures``¹; with each chapter introducing a particular theoretical dimension to which the study intends to make an advancing contribution and later from review of either supporting or off-putting evidence advances a specific argument that cumulatively sustains the general concern of the study which is encapsulated in its central question: How did the development in the state-capacity of Rwanda during post-conflict reconstruction serve to address the human security related issues which threatened a resurgence of violence? The summary of the chapters is as follows:

Chapter one discusses the meaning of the four cardinal concepts that orient this study, and the debates surrounding their operationalisation. The concepts are: Human Security, State Capacity, and Post-Conflict Reconstruction. It elucidates the academic and policy debates that have punctuated the treatment of those concepts, and how this particular study situates itself in those debates.

As such, many but three important ideas emerged from the debate surrounding the concepts adopted by this study:

¹ See, Robert. K. Yin, *Case Study Research: Design and Methods*, Forth edition, Applied Social Research Methods Series, Vol.5 (United States of America, SAGE, 2009), 177-178, for a precise exposition of the meaning of the logic of "Theory-Building Structures" as an illustrative structure for case study composition.

One, that within the academic and policy debates on human security are suggestions that human security and state security can communicate to each other in a somewhat ``security dialectics`` arena, and that the ``boomerang effect`` is probable where one of the two security areas is given prominence at the expense of the other in the operationalisation of a State's security policy particularly during post-conflict reconstruction. What is generally missing in this system of things is an elaborate and context specific empirical exposition to such theoretical techno-logic.

Therefore, this study by far, using the case of Rwanda, provides an empirical case to such conceptual underpinning.

Two, the imperativeness of State-Capacity in enabling post-conflict reconstruction, and three, that thwarting the resurgence of violence during post-conflict reconstruction is central to the reconstruction agenda. The chapter gives a somewhat review of the literature about Rwanda, particularly its post-genocide phase and the emerging knowledge gaps therein. It also gives a general treatment, briefly though, to other conflict areas of Sub-Saharan Africa; delineating how their circumstances also accrue to the conceptual concerns of this study, particularly; human insecurities and weaknesses in state capacity.

Three, that the Chapter outlines how this study situates itself into the conceptual framework that emerges out of the treatment given to the conceptual concerns of this study. The methodological orientation of the study is also discussed, the rationale given to give topicality to the study design adopted and how the study proceeds in its inquiry as it employees the concerns of the study design adopted to unravel the either supporting or off-putting answers to the questions that guide the treatment of this study.

Chapter two addresses the research question: how did human security concerns historically structure violence during the genocide and did the weaknesses in state-capacity aggravate the situation?, and through a detailed literature survey of monographs about Rwanda, and an analysis of the histories about Rwanda, as documents with historical relevance to Rwanda are predominantly relied on to make particular arguments, this study interrogates the widely asserted view that strength in state capacity led to the violence which culminated into the genocide of 1994 in Rwanda. From its inquiry, the

study found out that the violence in Rwanda is historically linked to weaknesses in the capacity of the Rwandan state to function. It is sustained that whenever and wherever the Rwandan state, at different historical moments: pre-colonial, colonial, post-colonial, pre-genocide, failed to address human security related concerns, violence was abound. The conclusion from the treatment of this chapter is that weaknesses in state capacity have historically structured the violence in Rwanda which reached its apex during the genocide of 1994.

Chapter three gives a treatment to the question: how did human security concerns threaten a resurgence of the structure of violence during post-conflict reconstruction, and did they also serve to undermine state-security?, and it bases on evidence about Rwanda; collected from a detailed literature survey of monographs about Rwanda, histories about Rwanda, archival analysis, and limited focused informed opinion survey through interviews of the affected and actors during Rwanda's post conflict reconstruction phase.

From the evidence reviewed, it emerges that human security related concerns threatened a resurgence of violence in Rwanda during its post-conflict reconstruction phase, and basing on the logic of case study research, a particular case is singled out to give conceptual and empirical density to the concerns of this study. The case singled out is: The Hutu refugee phenomenon in Eastern Congo. The reason to why the Hutu refugee phenomenon is singled out owes much to its historical effect; as it represents a major metaphysical thread that has been at the centre of the causes of the ``conflict continuous`` situation that has historically defined and sketched the visitations of violence that have characterised Rwanda's history. The Rwandan refugee saga effect, as this study traces in chapter two and chapter 3 has been monumental in the structure of violence in Rwanda.

The evidence brings to light the extent to which the human needs which would have guaranteed the survival, which to this study is; the *human security condition* of the Hutu bonafide refugees; were manipulated by the Hutu exiled political elites to preside over a resurgence of violence in Rwanda. This sustains the logic of chapter two that in the context of Rwanda, human needs, the absence of which more often lead to the *human*

insecurity condition, particularly led to the resurgence of violence in instances where they were manipulated by political demagogues.

The manipulation of the human needs and its *human insecurity condition effect* on the refugees, by the political demagogues who wage a violent conflict against the Rwandan state also reflect the extent to which threats to human security can converge with the threats to state security to lead to a resurgence of violence during post-conflict situations. This convergence negates the radical assertion to the effect that the two security areas; human and state security, firmly contradict each other. This emerging point gives topicality to the notion of ``security dialectics`` which was advanced by Pauline Kerr that there are instances where the two security areas communicate with each other. The ``communicative zone`` in the context of the experience that is Rwandan was: the Rwandan Hutu refugee phenomenon in Eastern Zaire, which today is the Democratic Republic of Congo.

Chapter four gives treatment to question: how did the development in Rwanda's state capacity during post-conflict reconstruction serve to address the human security concerns that threatened and subsequently led to the resurgence of violence? It further gives answers to the question: What was the nature of Rwanda's development in state capacity during post-conflict reconstruction?

The chapter obtains from the evidence on Rwanda's state capacity during the period in review. The evidence was obtained from IMF's Government Finance Statistics; the World Development Indicators and the Correlates of War, the Political Terror Scale,, Transparency International, ``Weberianness`` Index, and the outcomes of public goods and service delivery. National legislations of Rwanda enacted during post-conflict period are also reviewed. This is further beefed up by evidence gathered from focused literature survey of the scholarly monographs about Rwanda; review of historical documents particularly those of international actors, and archival analysis.

The chapter is theoretically anchored in the debate which obtains from the question: How should the state be organised during post-conflict reconstruction situations. In giving answers to this question, the liberal peace approach stands in sharp contrast to other approaches particularly the state -centred approach, and from the Rwandan experience,

however, it emerges that even where the approach to the reconstruction of the state is generally inclined to the liberal peace approach, functioning institutions of the state are a prerequisite. But the building of functioning state institutions ought to have an agenda, and in the context of Rwanda the agenda was for economic liberalisation and to facilitate ``limited cosmetic`` democratisation designed particularly for propaganda with the purpose of collecting internationalised funds.

Chapter five gives a treatment to the question: how did the development in Rwanda's state capacity during post-conflict reconstruction serve to address the human security concerns that threatened and subsequently led to the resurgence of violence?, and it thus makes the point that whereas at the causative level of violence during post conflict reconstruction; human security related concerns converge with state security related concerns to lead to a resurgence of violence during post-conflict reconstruction phase, at the public policy level, where the resurgence of violence is practically addressed, human security concerns are traded-off for state security.

It emerges that in its quest for state security that was being undermined by the violent incursions against Rwanda by the Hutu refugee warriors; the Rwandan government, led by the Rwandan Patriotic Front (RPF), opted for a military approach to thwart the security threat that had eluded the international community. The international community led by the United Nations Organisation and the Security Council failed to disarm the refugee warriors as they continuously exploited the human security related concerns of the bonafide refugees to mobilise them into group violence against the Rwandan State. The international community continuously discussed the magnitude of the threat which the Hutu refugee warriors posed to Rwanda, but to continuously fail to pursue practical measures to thwart the threat.

The international community, particularly the United Nations and others international actors, including Canada that enthusiastically professes the imperativeness of humanitarian intervention as a measure to ensure the sanctity of human security; delayed to take action to ensure the separation of bonafide refugees from the Hutu refugee warriors who had held them hostage in their camps.

The Hutu refugee warriors used the refugee camps as recruitment grounds and safe havens that when the Rwandan Government embarked on a military campaign to annihilate the Hutu refugee warrior threat, the human security related concerns of bonafide refugees were undermined. The logic of the Rwandan government military campaign into the Eastern Congo was informed by the logic of group punishment on the Hutu refugees and the military tactics adopted were no respecter of the human security related concerns of the bonafide refugees.

As such, generally, the study advances that in the context of Rwanda, it emerges that during post-conflict reconstruction, punctuated with a resurgence of violence as a result of the convergence of human security and state security related concerns, where the survival of the State and the regime in power is threatened, then, human security is literally sacrificed at the altar of state security. This implies that in the context of Rwanda, the ``Security dialectics`` obtains/obtained at the causative level of violence during post-conflict reconstruction, but to be improbable at the policy level of addressing the resurgence of violence as human security related concerns are consciously neglected. State security predominates and its sanctity cannot easily be traded-off; more so where the international community, the theoretical guardian of human security, inadequately acts in addressing the security threat to the state emerging from conflict; where the threat is a result of the convergence of human security and state security.

1.1.2 Contribution and significance of this study

The innovative contribution of this study to the body of knowledge about Rwanda and to the debate surrounding the conceptual concerns of this study is that: Rwanda's post-conflict reconstruction phase teaches us that where threats to human security and state security converge to lead to a resurgence of violence during post-conflict reconstruction, development in state capacity is inevitably tilted towards addressing state security related concerns at the expense of human security related concerns, thus, a ``security dialectics`` a somewhat metaphysical convergence of human security and state security at the causative level of the resurgence of violence, and the emergence of a somewhat ``boomerang effect``; inevitably latent at the public policy level of addressing a resurgence of violence, as a focus on addressing state security undermines human security and consequently state security itself; leading to a somewhat enduring symphony of violence and destruction.

The contribution is sustained in five arguments which this study sustains, and they are as follows:

1. The argument that: neglect and manipulation of human security concerns by the agents of state capacity contributes to the structure of violence during conflict.
2. The argument that: weaknesses in state capacity contribute to structure of violence during a conflict.
3. The argument that: human security concerns and weaknesses in state capacity which emerge as concomitants of violence during a conflict threaten a resurgence of violence thus further threatening human security and state security during post-conflict situations
4. The argument that: where development in state-capacity militarily addresses the resurgence of violence, which resurgence accrued from the convergence of human security and state security related outcomes of the conflict, then, human insecurity is aggravated during post-conflict reconstruction making further resurgence of violence probable.
5. The argument: that during post-conflict reconstruction situations, issues related to human security can undermine state-security and vice versa. And from the logic of this

argument, the study advances supporting and off-putting answers to the effect that there is a convergence of threats to human and state security in post-conflict situations.

Accordingly, the significance of this study is at three levels: conceptual, empirical and public policy operationalisation during post-conflict reconstruction situations and it goes as follows:

At the conceptual level, the study contributes to efforts aimed at reaching a conceptual framework and an analytical framework in which the post-conflict reconstruction of Rwanda can be understood within the context of a resurgence of violence in post-conflict situations. Whereas this study is about Rwanda, the emerging analytical framework, though with a measure of context controls will be useful in allowing policy makers and academics a tool to use in comprehending other situations where the end of conflicts has more often meant a resurgence of violence in some countries, particularly in the Great Lakes Region of Africa. Countries where a resurgence of violence has occurred include, but not limited to; South Sudan, Central Africa Republic, and Democratic Republic of Congo.

At the empirical level, the study advances supporting and off-putting evidence to the effect that human security and state security mutually reinforce each other in post conflict situations. It also investigates the circumstances under which the mutuality of the two security areas; human and state security can hold. As such, though this study has indicated that at the policy operationalisation level, more so in situations where post conflict reconstruction are punctuated with a resurgence of violence, state capacity tends to be tilted towards ensuring state security related concerns than a focusing on human security; this contradiction ought not to be canonized but rather to continue problematising the contradiction as a means to finding out a media or a balanced policy framework which can allow the realization of the two security areas without foregoing any. This requires further empirical policy based research. If human security and state security related issues, as it emerges in this study, converge to lead to a resurgence of violence, then the policy framework to addressing that convergence ought to be diabolic in nature. Reaching a diabolic public policy approach to address the convergence of the

two security areas at the causative level of violence is not for conjecture but rather public policy research engagements. That gap ought to be filled.

And at the public policy operationalisation level, the study underscores the importance of factoring human security related concerns into the analysis of the causes of a resurgence of violence and how public policy decisions address such concerns during post-conflict reconstruction situations. Accordingly, this study will assist in directing domestic policy in post-conflict countries towards a focus on human security by directing state capacity to addressing the human security conditions of the population in a bid to thwart resurgence of conflict. State capacity attained during post conflict reconstruction ought to be directed to improving on the elements of human security, exploiting the pacification benefits that come along with a commitment to those elements. For example the feeling that the government is providing for the citizens as far as health is concerned legitimizes the government in the minds of the people, dissidence is undermined, and this thwarts insecurity and security dilemma complexes.

1.2 Background to the study: Post-Genocide Rwanda in the academic and Policy Literature: Towards a statement of the problem.

A survey of what pass for seminal publications on post-genocide Rwanda² depict that much of this literature gives answers to three important questions: What was the history of violence in Rwanda? What led to the genocide? How did the genocide unfold? Who was responsible, and for what? What are/were the effects of the genocide? What was done? What is being done, and what needs to be done for the Genocide not to reoccur? The answers that have been given to those questions can conveniently be collapsed into the Donald Horowitz framework of understanding ethnic groups in conflict. It emerges from the narratives about Rwanda; the Tutsi-Hutu ethnic division pervaded the social, economic and political aspects of the Rwanda society. That the ethnic identities predominated any form of identity in Rwanda be it religious identity, blaming colonialism as it widened the metaphysical gulf between the Hutu and the Tutsi ethnic groups, ``ranked`` one ethnic group over the other by elevating the latter over and above the former be it social, political and economic engagements. The later in the history of Rwanda, after colonialism the Hutu, who were the majority had to compete for political power in order to be the centre of the control of the Rwandan political, social and economic space. The Tutsi ethnic group was magnified by the colonialist as being fine in character, in intellect, with angular body features and naturally shrewd to fit into positions of authority. That the elevation of the Tutsis over the Hutus by colonialism increased the tension between the two groups that the Hutus felt that it was more urgent to fight Tutsi domination before even uprooting the colonial administration of the Belgians. The divisions between the two groups were canonised by colonialism and they attained a semblance of ``permanent`` group differences which fed into nepotism when the Hutus managed to gain control of central authority. This Hutu nepotism entrenched

² In the scholarship about Rwanda, the term post-genocide, generally refers to the historical moment in the history of Rwanda that immediately began after the 100 days of the genocide to the present. The post-conflict reconstruction phase of Rwanda, which started in 1994, is also collapsed under the post-genocide historical moment. It should also be emphasised that the genocide marked the peak of the civil-cum-violent conflict which started in 1990, but the end of this conflict was/is erroneously treated as being synonymous with the end of the genocide, yet the genocide ended first before the end of civil-conflict as a resurgence of violence occurred ending in 2005 at least within the territorial boundaries of Rwanda. The end of the resurgence of violence within the boundaries of Rwanda coincided with the end Paul Collier's so called ``Post conflict reconstruction decade``.

the Hutu social identity as it coalesced the common Hutu to ``maximise positive distinctiveness`` strengthening their belief in the functional necessity of Hutu power at the political level as the guardian of Hutu existence. This kind of narrative marries the social identity theory of Henri Tajfel into the discourse about Rwanda.³ But the thinking of Horowitz predominates that it is in scholarship about Rwanda, that propositions of Horowitz social psychological theory are balanced well with the approaches to understanding conflicts which he dismissed as being insufficient in explaining conflict.⁴ Indeed, propositions of the modernisation theory, economic interests and cultural pluralism subtly influence the narratives about Rwanda in all their complexities.

With an aim to set a somewhat springboard for this study, at this point, a cursory discussion of the bodies of literature on Rwanda is undertaken, and it is as follows:

First, following the logic of path dependency and historicity as a method of inquiry, scholars that have specifically addressed the history of violence in Rwanda outline that the history of the genocide had its roots in the political, economic and social power configurations that can be traced as far as the pre-colonial moment of Rwanda. To them colonialism only sustained the status-quo, particularly the social categorization of the Rwandan society, that pitted the Hutu against the Tutsi. It is noted that colonialism, though culpable for sustaining the gulf between the Hutu and the Tutsi categorization, as the colonial administration sustained the Tutsi oligarchy at the expense of the Hutu social categorization majority, the history of Rwanda even before colonialism also saw manifestations of violence among these categorizations.⁵

³ See, Henri Tajfel: particularly Chapter. 12, Social categorization, social identity and social comparison In: Henri Tajfel, *Human groups and social categories*, (Cambridge: Cambridge Univ. Press, 1981):54-267, for a thorough exposition of his ideas on social psychology.

⁴ See, Donald Horowitz, *Ethnic groups in conflict* (Berkeley: University of California Press, 1985).

⁵ See, Jan Vansina, *Antecedents to Modern Rwanda: Nyiginya Kingdom*, (Oxford: James Currey, 2004)., David Newbury, *Pre-colonial Burundi and Rwanda: Local Loyalties, Regional Royalties*(The International Journal of African Historical Studies, Vol.34, No.2 ,2001): 255-314, [URL:http://www.jstor.org/stable/3097483](http://www.jstor.org/stable/3097483) ., Catherine Newbury and David Newbury, *A Catholic Mass in Kigali: Contested Views of the Genocide and Ethnicity in Rwanda* (Canadian Journal of African Studies/Revue Canadienne des Etudes Africaines, Vol. 33, No. 2/3, Special Issue: French Speaking Central Africa: Political Dynamics of Identities and Representation,1999: 292-328. URL: <http://www.jstor.org/stable/486267>.

However, whereas at this level of scholarship about Rwanda, manifestations of violence in Rwanda are clearly outlined, a knowledge gap as regards the meaning of the nature of violence during pre-colonial Rwanda to the debate concerning group violence within the state is not addressed. Noteworthy is that facts are advanced with a historical effect, but with less effect as far as theorization about violence is concerned. This study analyses the facts advanced within the theoretical and conceptual context of human security and state capacity.

Secondly, whereas ethnicity is underscored when it comes to giving answers to the questions of: what led to the genocide? How did the genocide unfold? Who was responsible and for what?, it emerges from the narratives about Rwanda which give a treatment to those questions; that ethnicity parse did not lead to the genocide but rather the overwhelming fear of losing power by the political elite who adopted a survival strategy which entailed the manipulation of the economic predicament of the masses, particularly the poverty of the Hutu, to stir group violence. To this level of scholarship about Rwanda, it is the manipulation of the concerns of the common Hutu population⁶ that led the 1959 Hutu revolution, the visitations of violence against the Tutsi's in the 1960s and subsequently the genocide of 1994. The logic of the violence against the Tutsi at the various moments of violence, it is outlined, was for the sustenance of the Hutu power establishment.⁷

⁶ It is a major contention of this study that the common Hutu population as opposed to the Hutu political elites would not have participated in group violence which culminated into the genocide of 1994, had they not been cajoled into that system of things by the Hutu political elites. It is sustained that the Hutu political elites to elicit the participation of the Hutu masses into group violence, evoked the historical fears of the common Hutus, for instance, the fear that the Tutsi were going to subjugate them, subject them to the historical injustices which they suffered during the day of the Nyiginya Kingdom. It is this system of things that is referred to as manipulation in the context of this study.

⁷David Newbury and Catherine Newbury, "Bringing the Peasants Back In: Agrarian Themes in the Construction and Corrosion of Statist Historiography in Rwanda" (The American Historical Review, Vol. 105, No.3, Jun., 2000):832-877, URL: <http://www.jstor.org/stable/2651812>), Catherine Newbury, *The Cohension of Oppression: A Century of Clientship in Kinyanga, Rwanda*, Reprint (Madison: University of Winsconsin, 1975), 212., Rene Lemarchand, *Rwanda and Burundi* (Praeger Publishers, 1970), 197., Gerald Prunier, *The Rwanda Crisis, History of a Genocide, 1959-1994* (Kampala, Fountain Publishers, Kampala, 1995)., Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (Kampala, Fountain Publishers, Reprint 2007)., Scott Strauss, *The Order of the Genocide: Race, Power, And War in Rwanda* (London: Cornel University Press, 2006)., Alison Liebhafsky Des Desforges, "Leave None to Tell the Story": *Genocide in Rwanda* (Vol. 3169, Issue 189 of Human Rights Documents: Africa, Human Rights Watch, 1999)., and also see, Edward Silvestre Kaweesi, *The Role of the Church during the Rwandan Genocide of 1994*: A keynote address delivered at the Panel Discussion on the Role of

Indeed, it has been at this level of scholarship about Rwanda that a conclusion has been variously advanced to the effect that because the Hutu genocide regime systematically executed the genocide, then, it exhibited considerable state capacity. Instructive of these conclusions is the one provided by Leander Heldring. He negates that plausibility of the assertion that weaknesses in Rwanda's state capacity led to violence. To Leander, in the context of Rwanda, strength in state capacity led to violence even before the advent of colonialism.⁸

This study argues and sustains that contrary to Leander's assertion, weaknesses rather than strengths in state capacity have shaped and shaken violence in Rwanda since the days of the Nyiginya Kingdom. The study gives a treatment to this system of things later in Chapter two of this study.

Equally important is the literature on the outcome of the genocide. It is underscored that Rwanda had to grapple with external and internal challenges. It is noted that immediately after the conflict which culminated into the genocide, the new government in Rwanda, grappled with several challenges: the new refugee problem, reconstruction and internal insecurity, the question of what sort of political structure to adopt, and the attitude of the international community.⁹ Also the question of what should be the nature of political reforms to be undertaken in order to address the root causes of the conflict was daunting. It was reasoned that democratic reforms in Rwanda would inadvertently lead to democratic despotism of the Hutu majority, and that many of them had participated in the killings, over the Tutsi minority (the victims of the genocide).¹⁰

Also the new government inherited a devastated country; socially disintegrated, shattered infrastructure and a state that had collapsed.¹¹ Constitutional challenges were also

the Church in the 1994 Genocide in Rwanda, at memorial Topf & Sons (Sorbenweg 7, Erfurt, Germany), 26, May, 2013.

⁸ Leander Heldring, *State Capacity and Violence: Evidence from the Rwandan Genocide* (CSAE Working Paper, WPS/2014-08, Centre for the Study of African Economies, 2014).

⁹ Prunier, *The Rwanda Crisis*, 1995.

¹⁰ See Mamdani, *When Victims Become Killers*, 2007.

¹¹ See, Peter Uvin, *The Gacaca Tribunal in Rwanda*, (an extract from Reconciliation after violent conflict, International Institute for Democracy and Electoral Assistance, 2003).

manifest and there was a need to forge a constitution which would provide a coherent structure to manage ethnic differences.¹² It is outlined, though with a touch of exaggeration as the study particularly puts in the subsequent chapters, that the country had been ransacked. There was not any penny in public coffers. There were no offices intact, no chairs, no desks, no paper, no telephone, nothing at all. The people had been terrorised and traumatized. The hospitals and schools had been destroyed or ransacked. Rwanda health centres, one in each commune had been ruined. The stocks of basic drugs and health supplies had been looted. Water supply lines were non-operational. Qualified staff had been killed or had fled the country including teachers. In the whole country there were six judges and ten lawyers. There were no gendarmes. Indeed, Rwanda was almost: ``starting from zero``.¹³ Metaphorically speaking, the road to reconstruction was rough.

It is against the logic of the challenges which the Rwandan state had to grapple with in the aftermath of the genocide that the body of literature that gives a treatment to the questions; what was done? What needs to be done for the genocide not to reoccur?., is replete with analytical acknowledgment of Rwanda`s development progress. The monumental effect of Rwanda`s development has been variously outlined.¹⁴

To that effect, it has been outlined that Rwanda, for the period in review, realized development indicators that were unrivalled in the region--the Great Lakes Region. The African Peer Review Mechanism, 2006, notes how poverty levels were reduced from

¹² Jean Marie Kamatali, *Ethnicity and Constitutionalism in Post-Genocide Rwanda*, in, J. Oloka-Onyango, ed., *Constitutionalism in Africa: Creating Opportunities, Facing Challenges* (Kampala: Fountain Publishers, 2001).

¹³ Linda Melvern, *A People Betrayed*, 2009, 247-248.

¹⁴ See, Gerald Prunier, *The Rwanda Crisis*, 1995., Frederick Golooba-Mutebi, *Collapse, War and Reconstruction in Rwanda: An Analytical Narrative on State-Making*, Working Paper No. 28, (Crisis States Working Papers Series, No.2, February 2008, ISSN 1749-1800): 25., David Booth and Frederick Golooba-Mutebi, *Policy for agriculture and horticulture in Rwanda: A different Political Economy?*, Working Paper 038, Paper produced as part of the FAC Political Economy of Agricultural Policy in Africa (PEAPA) work-stream, <http://www.institutions.africa.org/filestream/20120611>., Victoria Chambers and Frederick Golooba-Mutebi, *Is the Bride too Beautiful? Safe Motherhood in Rural Rwanda*, Research Report 04, March 2012, (Published on behalf of the Africa Power and Politics Programme (APPP) by the Overseas Development Institute, 111 Westminster Bridge Road, London SE1 7JD, UK www.odi.org.uk)., David Booth and Frederick Golooba-Mutebi, *Developmental Patrimonialism? The Case of Rwanda*, Working Paper 16, March 2011, (Published on behalf of the Africa Power and Politics Programme (APPP) by the Overseas Development Institute, 111 Westminster Bridge Road, London SE1 7JD, UK www.odi.org.uk).

60.4% in 2001 to 56.9% in 2005, with 64% of households having access to safe source drinking water. As far as education is concerned, enrolment in primary is said to have increased from 74% in 2001 to an 86% net rate in 2006. As regards health, a remarkable increased access to antenatal facilities was reported, and 47% of the population was reported to be covered by health insurance. The progress of the Government of Rwanda in democracy and good political governance were also reported during the reconstruction period as epitomized in the adoption of the 2003 constitution and the subsequent national elections.¹⁵

Equally important is the much reported extent to which Rwanda exhibited a commitment to economic governance and management, corporate governance and socio-economic development. The UNDP Rwanda particularly notes how in 2001, Rwanda put in place a long term development framework that obtained from international development commitments such as the Millennium Development Goals. It was also added that Rwanda had even managed to thwart corruption, a cancer that bedevil many African countries and that its commitment to the Millennium Development Goals had been widely recognized.¹⁶

Also, SIDA reports how figures from Rwanda have continued to indicate progress in development. It was reported that the poverty level in Rwanda had decreased from 56.7% to 44.9%, with extreme income poverty going down to 24%, and that the poverty rate in Rwanda has been reducing at an average of 2.4% per year (for the last five years starting from 2007). As regards health, maternal mortality is reported to have halved in the last decade (since 2001), with more than 90% of the citizens having access to basic health insurance.¹⁷ Indeed, it should be added that the Rwanda Vision 2020 document epitomizes the commitment of Rwanda to development.¹⁸ The goals in Vision 2020 are in line with

¹⁵ African Peer Review Mechanism, *National Commission Report*, June-December 2006.

¹⁶ UNDP Rwanda, *Turning Vision 2020 into Reality: From Recovery to Sustainable Human Development*, 2007.

¹⁷ SIDA Work in Rwanda, *Successful Development Policy Reduces Poverty in Rwanda*, (SIDA REPORT; Wednesday, February 29, 2012).

¹⁸ The key pillars of the Vision 2020 document are: Good Governance and Capable State, Human resource development and knowledge based economy, a private sector -led economy, infrastructure development, productive and market oriented agriculture, regional and International economic integration, and the cross-

the Human Security paradigm. In its language, the Vision 2020 document seems to put people first:

How do (sic) Rwandan envisage their future? What kind of society do they want to become? How can they construct a united and inclusive Rwandan identity? What are the transformations needed to emerge from a deeply unsatisfactory social and economic situation? These are the main questions Rwanda Vision 2020 addresses.¹⁹

From the semantics of the Rwanda Vision 2020 document, inference can be made that Rwanda, in its journey to development, takes matters of Human Security and State Capacity to be sacrosanct. Therefore the authorities in Rwanda are said to have resolutely embarked on an agenda that was aimed at championing development. A two-pronged development agenda was adopted, with an emphasis on building state-capacity, as reflected in the straightforward commitment to the practical implementation of the Rwanda Patriotic Movement war manifesto that was precisely encapsulated in the 8-points programme and the increased provision of services: security, health care, education, among others.

It is acknowledged that the ability of the Post-War government to thwart the much anticipated failure of the state in the aftermath of an extraordinary bloody conflict figuratively spoke and indeed at the present reveals much about the ability of the state in Rwanda that quickly restored relative normalcy during its post-conflict phase. Golooba Mutebi explains how even the ardent critics of the authorities in Rwanda marvelled about the swiftness by which state-capacity was restored. He selectively quotes Reyntjens saying:

The Regime was able in a short-time to establish total control over the state and society. This control was seen in the maintenance of an efficient army, able to

cutting areas include gender equality, protection of the environment and sustainable natural resource management; and science and technology including ICT.

¹⁹ Ministry of Finance and Economic Planning, *Rwanda Vision 2020*(Kigali , July 2000, <http://www.grandslacs.net/doc/4164.pdf>): 6.

operate inside and beyond the national borders; the establishment of ``re-education``, ``solidarity`` and ``regrouped camps``; the villagization policy (known as imidungudu policy)...; and establishment of an important intelligence capacity with the Directorate of Military Intelligence (DMI) operating inside the country and the External Security Organisation in charge of operations abroad. While many other African countries tend towards state collapse, the Rwandan state has re-affirmed itself vigorously.²⁰

It should be underscored however that Rwanda's post-conflict/genocide development ought not to be presented in a canonised manner. Its alleged successes story ought to be problematised at the empirical and theoretical levels of social science cum conflict research. This is because it has been argued that the failure of the donor community to evaluate whether development of the Rwandan state in the 1990s was addressing the social problems of the ordinary people of which poverty was central, partly structured the civil war which culminated into the genocide of 1994.²¹ The marginalised Tutsis joined the ranks of the Rwandan Patriotic Front rebel group against the Habyarimana's regime, and the regime exploited the social problems of the Hutu masses, particularly the poverty of the youth, to mobilise them into group violence.

Indeed, moving along the lines of the basic needs or the human needs approach to conflict, a common thread runs through the literature which details the explanation of the causes of the genocide, that scarcity of resources like land and non agricultural jobs, coupled with a growing population and the fear of losing political power by the Hutu to the Tutsi, which meant losing the leverage over the distribution of resources, served to elicit the massive participation of the Hutu in the mass murder of the Tutsi and the Hutu moderates.²² Indeed to Diamond the Rwanda crisis constituted a somewhat Malthusian

²⁰ See, Golooba-Mutebi, *Collapse*, 2008, 25; quoting Reyntjens, F., *L' Afrique des Grands Lacs en Crise: Rwanda, Burundi: 1988-1994* (Paris: Karthala, 1994).

²¹ See, Peter Uvin, *The Development Enterprise in Rwanda* (Kumarian Press, West Hartford, CT: 1998, Paperback ISBN: 1565490835).

²² Cf., Prunier, *The Rwanda Crisis*, 1995; Mamdani, *When Victims Become Killers*, 2007); Desforges, *Leave None to Tell the Story*, 1999); Strauss' *The Order of Genocide*, 2006; Aiding Violence, 1998; Peter Uvin, *Difficult Choices in the New Post-Conflict Agenda: The International Community in Rwanda after the Genocide*, (Third World Quarterly, Vol. 22, No.2, Pp 177-189, 2001), Peter Uvin, *Ethnicity and Power in Burundi and Rwanda: Different Paths to Mass Violence*, (Comparative Politics, Vol.31, No.3 (April

catastrophe,²³ as if to suggest that the Hutu majority were mere ‘‘able ministers of depopulation’’ just used to reduce pressure on the meager resources. Conceptual density as regards the extent to which human needs constituted an integral element to the structure of violence which culminated into the genocide has been arguably attained given the number of seminal publications on Rwanda that make reference to such a system of things. But what are generally missing are the theoretical implications of this scheme of things on the debate concerning post-conflict reconstruction and the threat of a resurgence of violence which metaphorically hover over the life head of a state emerging from a conflict. This study particularly makes a contribution to the attempts aimed at theoretically aligning the experience of Rwanda beyond the narration of what transpired during the genocide in a bid to intellectually problematise the Rwandan catastrophe to further inform the body of theory to guide post-conflict reconstruction as an academic and public policy concept.

Importantly, the youth were the most affected by the improvidence of the human needs that guarantee human security. With many out of school, without employment and without land to engage in agricultural production,²⁴ the same youth were mobilized by the government to form the notorious ruthless *Interahamwe* (vaguely translated as those who attack together), a gang of machete wielding youths that played a central role in the execution of the violence that culminated into the genocide. Indeed, at the end of the genocide, the *Interahamwe* youths together with other former officials in the Hutu extremist government and Hutu civilians, the number put at approximately one million, sought refuge in neighbouring countries particularly Zaire, now Democratic Republic of Congo, and that this saw a humanitarian and environment cataclysm in the whole region.²⁵ A question therefore emerges: How did the new government address the issues

1999), Patricia Crisafulli and Adrea Redmond, in, Rwanda, Inc.: *How a Devastated Nation Became an Economic Model for the Developing World* (Palgrave Macmillan: 2012); Uvin, *The Gacaca Tribunal in Rwanda*, 2003; Scott Straus, Lars Waldorf, eds., *Remaking Rwanda: State Building and Human Rights after Mass Violence*, (Madison: University of Wisconsin Press, 2011, ISBN 978-0-299-28264-6). Straus, *The Order of the Genocide*, 2006; Karol Boundreaux, *Land Conflict and Genocide in Rwanda* (The Electronic Journal of Sustainable Development, 2009): 1(3).

²³ Cf., Diamond, Jared, *Collapse: How Societies choose to fail or Succeed* (New York, Penguin, 2005).

²⁴ Uvin, *Aiding Violence*, 1998.

²⁵ See, Rene Lemarchand, *The Dynamics of Violence in Central Africa* (Philadelphia: University of Pennsylvania Press, 2009), 32.

surrounding those refugees? This study examines how the development in state-capacity during post-conflict reconstruction in Rwanda served to address the refugee phenomenon which emerged after the genocide, for it is the unresolved refugee phenomenon that led to the civil war of the 1990s which culminated into the genocide.²⁶ Indeed a neglected Rwandan Hutu refugee phenomenon or a politically mishandled refugee continuous situations by the government of Rwanda, was destined to lead to a *conflict continuous* situation that was to pervade Rwanda's post conflict reconstruction period. Mention should also be made that even before the genocide, low levels of state capacity were a characteristic of Rwanda's body-politics. It is a legacy that was bequeathed partly by colonialism.²⁷ Therefore, though entirely ironical, it has been stated that the conflict which culminated into the genocide availed Rwanda with an opportunity to amend whatever went wrong to prepare for a better future,²⁸ and the amendments required functioning state machinery with capacity to enable them to be at the vanguard of progress.

However, from the literature surveyed, we are not allowed a detailed treatment of the nature of state capacity which Rwanda forged during its post-conflict reconstruction period, the challenges which it faced as it embarked on the development of state capacity, and what generally the issue Rwanda state capacity meant within the context of trying to thwart a resurgence of violence which is a sacrosanct objective of post conflict reconstruction process. We are also not told how the development in state capacity served to address the issues that threatened a resurgence of violence for Rwanda's development ought to be analyzed within the context from which it emerged-- that is violence. This study focuses on these gaps in its quest to contribute to the discourse about post-genocide Rwanda. It particularly focuses on forging a conceptual framework in which Rwanda's post-conflict reconstruction can be purposefully problematised with an objective to inform post-conflict reconstruction process elsewhere.

²⁶ *Ibid*, 2009, notes that it is the Tutsi refugees from Uganda who went there as a result of the Hutu revolution of 1959 that led to violence against the Tutsi, that constituted themselves into the Rwanda Patriotic Front which evaded Rwanda in the 1990s. They were later; we are told, joined by their counterparts from other countries, instructive of which were those from Congo, former Zaire.

²⁷ See, Mamdani, *When Victims Become Killers*, 2007.

²⁸ *Ibid*, 2007.

It should be emphasized that Rwanda's development in state capacity has not been without its critics. The governance style of the government led by the Rwanda Patriotic Front has been inundated with scholarly criticism. The conclusion from the literature that has been cynical of the Rwandan development experience has generally been that with continued suppression of the cardinal elements of democracy as manifested in abuse of human rights, freedom of press, suffocating any form of political dissent and the domination of the Rwandan political space by the Tutsi, Rwanda is destined to witnessing more visitations of violence.²⁹

²⁹ Straus and Waldorf, eds. *Remarking Rwanda*, 2011., Filip Reyntjens, *Post-1994 Politics in Rwanda: Problematising 'Liberation' and 'democratization'*, (Third World Quarterly, Vol. 27, No.6, pp 1103-1117, 2006., DOI: 10.1080/01436590600842399).

However this kind of literature does not also help us in understanding whether the inadequacies in Rwanda's post-genocide governance have parallels with the structure of violence which culminated into the genocide save for the prophetic insight which they advance that Rwanda is most likely to return to turmoil. What they perceive as inherent flaws in Rwanda's governance may even be attributed to the somewhat political engineering process which may have aimed/aim at thwarting a resurgence to genocidal tendencies, that is if the logic of path dependence³⁰ is to be applied. This study among other concerns advances that Rwanda's political, social and economic set-up during post-conflict reconstruction ought to be comprehended within the parameters of the structure of violence which led to the genocide. It is thus argued that human security related concerns were part of the determinants of the structure of violence that culminated into the Rwandan Genocide of 1994 and that human security was part of the scheme of things which threatened a resurgence of violence and actually saw a resurgence of violence during the post conflict reconstruction phase of Rwanda for the period in review, 1994-2005.

It is sustained that development in state capacity ought to have focused on addressing such human insecurities like the question of the predicament of the ``second case load`` of refugees. Indeed state capacity during the post-conflict reconstruction phase of Rwanda focused on addressing the Hutu refugee phenomenon in Eastern Democratic Republic of Congo, then Zaire, and as such, this study also examines the manner in which state capacity addressed human security related concerns in Rwanda and the implication of the approach adopted on the general debate concerning human security during post-conflict reconstruction situations.

Therefore, this study is about human security, how the concerns related to it determine the structure of violence during conflict and the imperativeness of aligning development

³⁰ For the explanation of ``path dependence`` see , Paul A David, *Clio and the economics of QWERTY* (The American Economic Review, Vol. 75, No. 2, Papers and Proceedings of the Ninety-Seventy, Annual Meeting of the American Economic Association., May, 1985):332-337; Stable URL:<http://links.jstor.org/sici?sici=00028282%28198505%2975%3A2%3C332%3ACATEOQ%3E2.0.CO%3B2-I>). The logic of path dependence connotes that a phenomenon can be well comprehended through understanding how it was shaped by history. In other words even decisions can be better understood by looking at the historical path of the events which preceded such decisions.

in state capacity during post-conflict reconstruction to addressing those concerns if a resurgence of violence is to be thwarted. This scheme of things is clarified on later. The study obtains from the view that unmet human needs lead to fear among people, and this compromises their security as individuals a scheme of things precisely put as human security. It is underscored that when human security is threatened, it makes individuals to easily fall prey to mobilization into group violent schemes with political objectives. The relationship between human needs and human security is discussed in one of the subsequent sections of this chapter.

As it will be noted later, one of the cardinal objectives of the post-conflict reconstruction phase is: thwarting a resurgence of violence, and that it is the Hutu refugee phenomenon in Eastern Zaire which threatened and indeed led to a resurgence of violence in Rwanda. This study therefore, in its scope, is limited to the Hutu refugees who went to Zaire, now Democratic Republic of Congo, as the population under investigation. The Hutu refugee phenomenon, it is advanced, highlights a convergence of human and state security, and underscores the imperativeness of focusing state capacity to addressing the security challenges which accrue from it. This is because it is mainly the Hutu refugees in Zaire (now Democratic Republic of Congo) who threatened and continues to threaten a resurgence of violence in Rwanda. They acted and act as a recruiting ground for the Hutu elites and other Rwandan elites with an aim to undermine the regime in Kigali. The civilian refugees found and continue to find themselves in deplorable living conditions: which were/are manipulated by the Hutu elites to recruit them into the ranks of the Democratic Forces for the Liberation of Rwanda (FDLR). This posed and continues to pose a threat to the national security of Rwanda. This analytical thread is sustained in the subsequent chapters and the study investigates, in a detailed manner, how Rwanda handled this dilemma.

In terms of time, the study is limited to the period 1994-2005. This is because apart from the fact that Paul Collier provides a nine years' time frame for post-conflict reconstruction with a commitment to thwarting resurgence of violence,³¹ the period in review was also

³¹ Collier and Hoeffler *Aid, Policy, and Growth in Post-Conflict Societies*, The World Bank, Development Research Group 2002

particularly challenging for the new government in Rwanda. It is during that period that the new government was financially and administratively constrained, and all state apparatuses needed resuscitation. So, the question emerges: How were the gains made during the resuscitation of state capacity aligned to addressing the risk of the resurgence of violence? And what was the nature of the development in Rwanda's state capacity in light of the general theorisation concerning post-conflict reconstruction? The study makes a theoretical and empirical contribution along the path of these two questions among other important questions earlier stated.

In addition, in terms of content, the study is limited to the analysis of the human security challenges that the Hutu refugees had to grapple with, how their predicament was manipulated by the Hutu elites to recruit them into the rebel outfit to undermine the territorial integrity of Rwanda—state security, and indeed the continuity of the new regime in Rwanda. The study also covers how the development in state capacity forged by the new regime in Rwanda addressed the Hutu refugee phenomenon in Eastern Zaire, and the complexities which surrounded the options which were adopted in addressing the problem.

Therefore, to put it in a nutshell, the research agenda of this study is specifically focused on the Hutu refugees in Congo., and a specific question is derived: How did the development in state capacity which was realized during Rwanda's post-conflict reconstruction address the problem of Hutu refugees in Congo? In interrogating the mentioned specific question the study primarily argues that: Human security related concerns were part of the scheme of things which threatened a resurgence of violence after the conflict of genocidal proportions in Rwanda, and that development in Rwanda's state-capacity during post-conflict reconstruction focused on addressing such issues. The study obtains from this logic to bring to bear either supporting or off-putting answers to its central and specific questions of this study stated earlier.

1.3 Research Design:

In design this study is generally qualitative as it sought to make qualitative arguments. However, in method, the study is multi-methodological in its inquiry as it employs: archival analysis, histories or historicity, case study and literature survey. This is because of the nature of the specific questions which this study strived to address. Some questions obtained from the logic of; who, What, Where, how many, how much, and these methodologically required a detailed literature survey and archival analysis. Other questions were generally: how and why questions and these required a historical treatment and case study approach.

In this study both qualitative and quantitative data are employed to make qualitative arguments. Data was also collected from multiple sources and generally triangulated to construct a measure of validity. Accordingly, historical monographs about conflictual Rwanda, official and unofficial documents of governments, agencies of the United Nations Organisation, Non Government organisations, and intergovernmental agencies. Also the study relied on articles in scholarly journals and publications. Newspaper reports and archival records, selected focused interviews with selected informants, selected focus group discussions and video and audio records were also employed.

It should be emphasized that generally the study relies on literature about Rwanda written in the English language and that translated from other languages into English. This is because of the diversity of the literature about Rwanda written and translated into English in comparison to other languages. As regards the usage of the works written by French authors, for instance, the study relies on the works of Jan Vansina particularly his work: *The Antecedents of Modern Rwanda: The Nyiginya Kingdom* (2004), the works of Rene Lemarchand particularly his two seminal works on Rwanda: *Rwanda and Burundi* (1970) and *The Dynamics of Violence in Central Africa* (2009) and some works of Gerald Prunier and variously those Phillip Reyntjens. This is because Rwanda until the ascendancy of the Rwanda Patriotic Front to power, the official languages were Kinyarwanda and French thus the imperativeness of using some works written by French authors. But to go into the nitty-gritty of the involvement of the French authorities

particularly in the politics of Rwanda which preceded the genocide, the study relies on the correspondences of the French leadership of France housed by the so called Mitterrand Archives

The study particularly obtains from the archives of the United States Department of State and those from the Mitterrand Archive by drawing on de-classified diplomatic correspondences about Rwanda, as an original unit of data, to triangulate other data sources; especially academic monographs and reports of international agencies. The reasons to why the study variously bases its arguments on the archival records; particularly the ``public use files`` of the diplomatic cables of the United States are as follows:

First, that the correspondences were meant to practically guide the foreign policy of United States in its focus on the Post-Genocide Rwanda and the refugee crisis it generated. So, it would have been illogical for the United States to engage in self-deceit by trading in diplomatic lies within correspondences meant to its foreign policy administration. It should be emphasized that these cables were internal to the units of the States Department of the United States, in the correspondences, it is indicated that even the anecdotal evidence, onto which other multi-lateral agencies like the UNCHR sometimes based their reports had to be cross-checked by the intelligence gathering units of the USA to guard against taking administrative actions based on rumors. The jargon used is that of ``hard facts``.

Also it is the only available to public single data set that captured the trend of events in post-genocide Rwanda on a daily basis and a lot of attention is paid to detail in these correspondences; sometimes even the subliminal signals made by speakers during meetings were captured, and that the correspondences, unlike other data sets reviewed like the reports of international agencies, books and monographs about Rwanda, do not make a claim at thoroughness, they quickly point out inadequacies in the verification of incidents were they emerged. They outline what was verified by the intelligence, and what the intelligence failed to verify. The correspondences also capture the intentions of other actors, as the intelligence system of the USA has the capacity to ``tap into`` the

inner working of other actors – state and non-state. For where the intelligence system of the United States ``taps``, even the Pope is not spared.

In addition to the archived correspondences of the United States, the archived diplomatic correspondences of the French from the Mitterrand Archive and the French Parliamentary Commission are also employed to capture the perception of the French of the Rwandan genocidal Saga. This is because the French were a key ally to the government of Habyarimana and were at a vantage point to know the inner working of the regime that presided over the massacres which culminated into the genocide of 1994.

Generally, data collection was majorly guided by a retrospective design to understand and explain how Rwanda managed to address the resurgence of violence during its post-conflict reconstruction period (1994-2005). It based on retrospective data, historical data about the period under review; to describe and explain how Rwanda's development in state capacity addressed the Hutu refugees ``new case load`` phenomenon which did not only entail a threat with human security dimensions; but also with state security connotations directed at the Rwandan state.

In addition even data outside the period in review but analysing the events which occurred or analysing events related to the events which occurred during the period in review is treated in retrospect. However, a selected few interviews with key informants, who were identified by the researcher using the snowball method by using the formal contacts within the state apparatuses of Rwanda and Uganda as the point of departure, were employed to give topicality to the themes which emerge from the textual/documented data about Rwanda. Interviews are only employed to the extent they serve to enhance the arguments from documents than acting as a point of departure as far as the arguments of this study are concerned. This is because interviews, more so those concerning the experience that is Rwanda, are undermined by retrospective bias owing to the emotional nature of the Rwandan genocide, and the ``Never Again`` ideology in Rwanda which criminalises the Hutu-Tutsi distinction; and that both public and private discussions about Rwanda leads to what has been referred to as ``amplified silence`` in the study of Rwanda. Indeed one informant, a consultant with the Rwandan Ministry of

Education, in reference to the considerable measure of silence even in the social interactions among the Banyarwanda (this study variously uses the word ``Banyarwanda`` to connote the ``people of Rwanda``) remarked:

``The Banyarwanda are intriguingly silent even in the midst of each other. When with foreigners they at least open-up, but again with studied reservations in interaction, and a Munyarwanda (a noun used in reference to one Rwandan) can tell you something in one minute and change it in the next upon realising that he has revealed much (sic). They leave in fear of each other and are overly suspicious. ``³²

Indeed it is because of the notion of ``amplified silence``, depicted by the revelations of the informant in quotation above, that the study had to drop the logic of phenomenology as a philosophical approach to generally guide its inquiry, opting for the grounded theory methodology that allows a measure of flexibility in social science inquiry. A positivist approach could not also be adopted for this study because of the unpredictability of the units of analysis for this research, that is, the Hutu refugee phenomenon.

As such, despite the fact that of the 30 informant interviews (targeted from the 50 interviews which were conducted during the pilot study) and 4 focused group discussions conducted during the study; only 6 informant interviews passed the reliability test of consistency adopted by the study and 1 focused group passed the reliability test of consistency. The reliability test of consistency for this particular study was executed by the researcher repeating an interview with a person in case of informant interview or a group in the case of focused group discussion. Repeating answers could be inferred as consistency. For the sake of confidentiality the location and positions of the informants and focused groups are not provided.

To that effect, basing on the logic of the *case study methodology*, this study, particularly obtains from the case of the Hutu Refugee phenomenon in the Eastern Congo, which during the period under review, was referred to as; Eastern Zaire. The Hutu Refugee

³² A Personal interview with an informant in the Rwanda Ministry of Education, taken on 5th May, 2014. The name is withheld on request.

phenomenon entailed the Hutu Refugee warrior phenomenon; which threatened and subsequently led to a resurgence of violence in Rwanda.

In analysis, the study was generally oriented by the logic of explanation building; with an objective to reflect on post-conflict reconstruction as a public policy process and the security debate concerning the applicability of human security as a practice and concept. The data theory/ philosophical approach, that is, the grounded theory methodology was therefore adopted to explore its conceptual and theoretical concerns of the study, which revolved around; human security, state capacity, and post-conflict reconstruction and related debates. The meaning of the grounded theory methodology in light of the mentioned concepts that orient this study is as follows:

1.3.1 The Logic of the Grounded Theory Methodology and the study

Mamdani, in a preface he gives to his book on the Rwandan genocide, contends thus:

... (the view)that knowledge is about the production of facts.... translates into the stubborn resistance to theory in the name of valorising the fact. From this point of view, the claim is that theory is deadening: instead of illuminating, it manipulates fact. The assumption is that facts speak for themselves. But facts need to be put in context, and interpreted; neither is possible without a theoretical illumination.³³

Accordingly, this study juxtaposes the facts about Rwanda's post-conflict reconstruction with the conceptual and theoretical concerns surrounding human security and state capacity during post-conflict reconstruction, in a bid to understand the appropriateness of the two concepts in explaining and understanding the factors which shaped and shaken Rwanda's post-conflict reconstruction, particularly its security architecture. The outcome is a closure, of what Glaser and Strauss, refer to as: "the embarrassing gap between theory and empirical research",³⁴ but within the context of Rwanda and also clarify on the conceptual and theoretical debate concerning human security and state capacity.

In that regard, the study adopts the logic of the grounded theory methodology. The grounded theory methodology is adopted as a strategy of inquiry for this study as it provides a framework through which theory and empirical research can be interwoven to explain and understand a phenomenon, that is, Rwanda's post-conflict reconstruction experience.

The 'Grounded Theory' methodology requires that, for a researcher to attain the objective of developing a theory they should be committed to a constant juxtaposition of data collection with analysis; which is precisely put as: "constant comparative method." However, in instances where there is an existing theory that seems to be appropriate in explaining and guiding the understanding of the area under inquiry, then, the grounded theory methodology is applied to elaborate and improve on the existing theory by

³³ Mamdani, *When Victims Become Killers*, 2007, XIII.

³⁴ See, Glaser and Strauss, *The discovery of grounded theory: Strategies for qualitative research* (Chicago: Aldine, 1967), vii.

comparing data with the assumptions of the theory, as one tries to explain a phenomenon.³⁵

However, it is Diane Vaughan, who delineates a systematic way of expounding and improving on an existing theory using data: an endeavour she expresses as ``theoretical elaboration. `` To her, elaboration connotes a process through which a theory or concept is refined using qualitative data analysis; with an objective to find out the instances in which it can be useful in explaining and understanding a phenomenon. Vaughan contends that the process of theoretical elaboration requires that a researcher chooses a case to act as, ``the locus for exploring the research questions—and then makes the theoretical case for it. `` Other researchers can pick on other cases to continue on the elaboration of a given theory or concept.³⁶

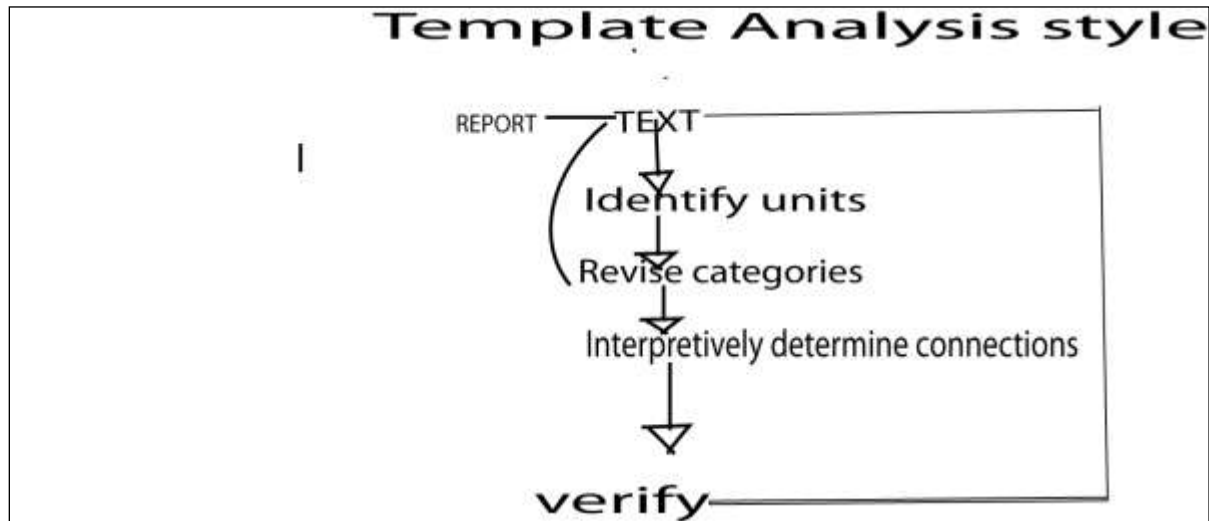
Accordingly, following the logic of the grounded theory methodology, specifically the ``theoretical elaboration`` procedure of Vaughan, the study uses the case of Rwanda in Post Conflict Reconstruction; against which research questions stated earlier are explored. The study uses the Human Security approach and State-Capacity approach as the Grounded conceptual and theoretical framework. The data about Post-Conflict Reconstruction experiences of Rwanda are analyzed in light of the tenets of Human Security and State-Capacity. The choice of Rwanda obtains from the magnitude and exceptionality of the nature and effects of the conflict that reached genocidal proportions and the extent to which Post-genocide Rwanda has attracted considerable academic debate. Arguably, it is one of the most published phenomena about post cold War political Africa and generally our political earth.

³⁵ Anselm Strauss and Juliet Corbin, Grounded Theory Methodology, in Norman K. Denzin & Yvonna S. Lincoln, *Hand Book of Qualitative Research* (London: Sage Publications, 1994), 273-283. But for a detailed exposition of the ``grounded theory methodology``, see, Glaser and Strauss, *The discovery of grounded theory: Strategies for qualitative research* (Chicago: Aldine, 1967).

³⁶ *Theory Elaboration: The Heuristics of Case Analysis*, in Charles and Howard S. Becker, *What is a case? Exploring the Foundations of Social Inquiry* (New York: Cambridge University Press, 1992), 173-202.

1.3.2 Analytical Procedure

Therefore, the study, obtaining from the scope of the study delimited in terms of: time, content and population, proceed logically in the analysis of data collected using the Template Analysis Style:³⁷



Note: This diagrammatic representation of the ``Template Analysis Style`` is adopted from, Crabtree and Miller, *A template approach to text analysis: Developing codebooks*, in, B.F. Crabtree & W.L. Miller, eds., *Doing qualitative research* (Newbury Park: CA. Sage, 1992):93-109.

Diagrammatically, as seen above, the study moves from the known to explain the unknown. It does not literally speaking; try to reinvent the wheel as far as the analysis of post-conflict reconstruction processes is concern. Rather, it primarily uses what has been said and written about Rwanda to find unities and disunities in its post-conflict reconstruction to give topicality and conceptual density to the stated questions of the study.

As such, the analysis moves from the TEXT³⁸ among others; scholarly monographs about Rwanda, archival documents; particularly the diplomatic correspondences of the

³⁷ See, Crabtree and Miller, *A template approach to text analysis: Developing codebooks*, in, B.F. Crabtree & W.L. Miller, eds., *Doing qualitative research* (Newbury Park: CA. Sage, 1992), 93-109, for a thorough exposition of the Template Analysis Approach.

³⁸ William L. Miller and Benjamin F. Crabtree, Clinical Research, in Norman K. Denzin and Yvonna S. Lincoln, *Handbook of Qualitative Research*, 1994), 345-346., argues that if the goal of the researcher is

United States on post-conflict Rwanda, government documents, newspapers (international and local), documents and reports of major international organizations, international and local civil society organizations.

Orderly, identification of units that relate to development in the state capacity of Rwanda and the human security concerns takes place; Revision of the categories that reflect state capacity and human security that appear in the various texts considered is done to create a kind of coding for the issues emerging in a bid to facilitate interpretation of the connections in literature to verify or off-put the stated questions of the study.

The connections are further beefed up with usage of other primary sources with emphasis on unstructured interviews³⁹ with key informants, audio and visual recordings (motion pictures) of some actors in the Rwandan experience. Key informants were largely selected by the snow ball technique. The rationale for choosing informants by snow ball method owes to the crisis of confidence which surrounds the body research about Rwanda and its Hutu refugee phenomenon in Eastern Congo. Volunteering information on a ``high security concern`` like that of refugee warriors requires a degree of trust between the interviewer and the interviewee which could only be guaranteed by one informant introducing you to another informant whom he considers to be knowledgeable on the question in review. The limitation in this kind of arrangement was that knowledgeable informants outside the network identified through the snowball technique were missed, but this negative outcome was offset by the conceptual density attained from textual analysis.

To further offset the relative inadequacy of the snowball technique, the study employed focused group discussions of the refugees who have not returned to Rwanda with an objective to understand their human security concerns. The study cross examined the textual evidence against the Human Security concerns raised by the affected (particularly

exploration, discovery, or seeking to understand what others have gone through, he/she has to be close to the text- the written word that precisely puts the observations and feeling of others.

³⁹ Andrea Fontana, *Interviewing: The Art of Science*, in Norman K. Denzin and Yvonna S. Lincoln, *Handbook of Qualitative Research*, 1994), 366, observes that unstructured interviewing is ideal in an attempt to understand the complex human behaviour without the researcher imposing his pre-conceived ideas on the respondent that is a characteristic of structured interviewing using instruments like a questionnaire.

the Hutu refugees still at large in Eastern Congo, Tanzania and Uganda). The study partly relied on the refugees who are still at large because of the ‘amplified silence’ of the returned who could not respond to the particular human security related questions of this study because of the restrictions of the legal framework in Rwanda. The implications of their continued stay in refuge on the conflict carrying capacity of Rwanda; is an area for further research which this study recommends. But, again, aware of the danger of retrospective bias, the outcome from these focused group discussions are only utilised to the extent to which they give topicality to the thematic concerns which emerge from the textual data, and such intrusions do not pervade the whole unit treatment of thematic concerns of this study which obtain from the concepts, that is, Human Security, State Capacity and Post-Conflict reconstruction; which guide the logic of this study.

The delineation of the meaning and the debate surrounding the concepts and how this study utilises them is as follows:

1.4 Conceptual and theoretical issues: Human Security, State Capacity, Post-Conflict Reconstruction and Development: Mapping out a conceptual Framework, identification of conceptual gaps and the delimitation of the scope of the study.

1.4.1 Introduction

By way of reiteration, in its inquiry and analysis the study is guided by the concepts of human security and state-capacity within the context of post-conflict reconstruction. At this point a clarification on the meaning and the debate surrounding this study, and how they orient this study is worthwhile. The treatment is as follows:

1.4.2 The meaning of Post-Conflict Reconstruction and its nexus with development and security

First, the Post-Conflict Reconstruction process is central to the avoidance of a resurgence of violence after a conflict, and development is an integral element of the post-conflict reconstruction process.⁴⁰ So, as noted earlier, the study asks: How did Rwanda's development in state-capacity during post-conflict reconstruction serve to address the human security concerns that threatened a resurgence of the structure violence?

In other words put as the ``peace process``-- the transition from war to peace,⁴¹ Post-conflict reconstruction entails a number of activities. These activities range from cessation of hostilities through negotiated settlement or through an ultimate victory by one side against the other, embarking on security sector reforms, undertaking political reforms like embarking on electoral reforms, creation of institutions for dispensation of justice, reconciliation, and a commitment to development with a focus on social and economic development.⁴²

⁴⁰ See, Reiko Kage, *Making Reconstruction Work: Civil Society and Information after War's end* (Comparative Political Studies: 2010 43:163, originally Published Online 5 March 2009. DOI:10.1177/00104/14009332128, <http://cps.sagepub.com/content/43/2/163>), Pierre Englebert and Denis M. Tull, *Post Conflict Reconstruction in Africa: Flawed Ideas about Failed States* (International Security, Vol.32, No.4, Spring 2008):106-139, Paul Collier, Anke Hoeffler and Mans Soderbom, *Post-Conflict Risks* (Peace Research, vol.45, no. 4, 2008).

⁴¹ J. `Bayo Adekanye, *Arms and Reconstruction in Post-Conflict Societies* (Journal of Peace Research, Vol. 34, no.3, 1997, ISSN: 0022-3433, pp.359-366, (heading 2)).

⁴² *Ibid.*, 1997: 360.

To Pierre Englebert and Denis M. Tull, post-conflict reconstruction can precisely be put as ‘‘state reconstruction’’: aimed at reconfiguring the ability of the state to monopolise the means of violence, and efforts to enable it to be at the vanguard of the provision of law and order; other social services like health, education, transport and communication infrastructure, observance of human rights and streamlining economic activities through regulations.⁴³ The usage of ‘‘state reconstruction’’; however as a pointer to ‘‘Post-Conflict Reconstruction’’, seems to underscore the imperativeness of re-organising the institutions of government so that they can ably execute their functions like provision of law and order, and the provision of public services.

To Rugumamu, post-conflict reconstruction is that process that takes place in a ‘country Conflict’-- a country that has recently experienced conflict to failed state levels. To him the process entails repair and reconstruction of physical and economic infrastructure with a commitment to rebuilding institutions and society.⁴⁴ Rugumamu’s definition resonates well with the World Bank framework for reconstruction which places great emphasis on infrastructural development to ensure the development of societies emerging from conflicts. However, conscious of the imperativeness of a functioning sovereign, as it will be delineated in the proceeding parts of this study, it is a major contention of this study that ‘‘state building’’--- the putting in place of institutions for governance: administrative, extractive and coercive, is important; for functioning government institutions are central to public policy making and execution, and it is this system of things that this study takes to be ‘‘State-Capacity’’.

The imperativeness of state-capacity, as it is conceptualised in the proceeding parts of this study, is said to be central to even building the rather coveted political orientation that is democratic culture after conflict. Though democracy is not the central focus of this study, it is worth mentioning that a capable state, which can ensure provision of public goods like law and order, education, health and security, is central to the nurturing of

⁴³ Englebert and Tull, *Post Conflict Reconstruction in Africa*, 2008:106-139.

⁴⁴ Rugumanu and O. Gbla, *Studies in Reconstruction and Capacity Building, In Post-Conflict Countries in Africa: Some Lessons of Experience from Rwanda* (The African Capacity Building Foundation, Revised Report December 2003).

democracy.⁴⁵ So state-capacity and the provision of public goods which ensure the satisfaction of human needs which guarantee human security (the exposition of the imperativeness of human security in post-conflict reconstruction situations is done in the subsequent parts of this chapter), become important mutual elements of reconstruction.

It should be noted that the Post-Conflict Reconstruction phase involves national and international actors,⁴⁶ and where national actors are to be involved; the state as a unified actor has to play a central role. The state cannot play a central role if its institutions are not coherent enough to champion reconstruction. This calls for the resuscitation of the failed, failing or collapsed institutions of the state to be able to execute their mandate which entails ensuring law and order, and the provision of social services. Roland Paris talks of institutionalisation during post-conflict reconstruction to ensure a functioning polity. To Paris institutionalisation is an urgent stage if the country emerging from a conflict situation is to progressively recover.⁴⁷ This points to the need for state-capacity during the post-conflict reconstruction period, and this provides a furthering empirical case, which is Rwanda during its post-conflict reconstruction, 1994-2005, to the rather hypothetical assertion of Paris.

However it should be mentioned that conceptualising state capacity during post-conflict situations can be problematic for we are told that state failure as a result of conflict does not always translate into state collapse (the highest level of state failure) as some institutional structures of government may persist into reconstruction phase. Indeed, it is not a moment to isolate when we read that in 1998, when the Congolese Rally for Democracy (RCD-Goma) took over Eastern Congo, they retained the existing administrative regional structures, and that the Forces Nouvelles in Northern Ivory Coast also did the same. So, reconstruction after conflict may obtain from the existing local

⁴⁵ See, Jessica Fortin, *Is There a Necessary Condition for Democracy? The Role of State Capacity in Post Communist Countries* (Comparative Political Studies 2012, 45:903 Originally Published online 5 December, DOI:10.1177/0010414011428587, <http://cps.sagepub.com/content/45/7/903>, 2011).

⁴⁶ Rugumanu and O. Gbla, *Studies in Reconstruction and Capacity Building*, 2003.

⁴⁷ Roland Paris in, *Bringing the Leviathan Back In: Classical versus contemporary studies of the Liberal Peace*, (International Studies Review, 2006. http://aix1.uottawa.ca/~rparis/Paris_ISR_Oct2006.pdf) (8), 425-440.

institutional arrangements that may have survived the conflict, but not beginning from the ``scratch``.⁴⁸

Needless to mention Post-Conflict situations present a number of challenges to the government particularly the fear of a resurgence of the conflict.⁴⁹ More often the challenge of the resurgence of violence accrue from internal and external security challenges; some of which might have been either as a result of the effects of the violent conflict or the unresolved causes of the violent conflict. This study contends that the actors during the post-conflict reconstruction process, which in the context of this study is the state (government); have to grapple with those security challenges as well as the demands from the external actors who are precisely and commonly put as the International Community.

The International Community, arguably led by the United Nations Organisation, demands for swift adjustments of governments to democratic standards;⁵⁰ standards that largely obtain from the Liberal peace framework as an approach to the realization of economic, political and social development: issues that are central to the existence of states emerging from conflicts.⁵¹ The transition to democracy is treated as a somewhat *conditio sine qua non* that has to be met in order to gain access to post-conflict reconstruction aid.

⁴⁸ Englebert and Tull, *Post Conflict Reconstruction in Africa*, 2008:126. They also cite Rotberg, ``Failed States, Collapsed, Weak States,``p.9 definition of ``state Collapse`` as a situation where there is ``a vacuum of authority`` with completely no functioning public institution or authority and the state is ``a mere geographical expression....`` In recent memory no state has reached such a non-functioning level, even one was to cite Somalia as an example; we should be quick to pick the University of Mogadishu as a functioning public institutions in Somalia, and others can be added onto that.

⁴⁹ See Paul Collier, Anke Hoeffler and Måns Söderbom, *Post-Conflict Risks*, July., 2008, Stephen D Krasner and Carols Pascual, Addressing State Failure, (Foreign Affairs, Vol. 84, No. 4 (Jul. - Aug., 2005): 153-163, URL: <http://www.jstor.org/stable/20034427>) .Accessed: 14/07/2012 06:07.

⁵⁰ Carlos Santiso in, *Promoting Democratic Governance and Preventing the Recurrence of Conflict: The Role of the United Nations Development Programme in Post-Conflict Peace Building* (Journal of Latin American Studies 2002):1-3; notes that what is very high on the agenda of the United Nations during Post-Conflict Reconstruction is the promotion of democracy and good governance as sacrosanct attributes of post-conflict peace –building initiatives.

⁵¹ Roland Paris in, *Bringing the Leviathan Back In*, 2006, (8), 425–440, argues that the Post-Conflict Reconstruction agenda of the international community in countries emerging from conflicts generally obtains from the tenets of the contemporary conception of the liberal peace thesis, with an emphasis on electioneering, civil society involvement in politics, political parties and increased observance of human rights and freedom.

The International community uses the privileges of power⁵² to push for a liberal agenda in countries emerging from conflict, elevating such an agenda to a level of a political and economic imperative for a successful reconstruction.⁵³

Evidence suggests that the debate on Post-Conflict Reconstruction has generally been on its nature, what it should entail, the direction it should take, the nature of governance to be adopted, and how to pursue development. Indeed, after conflict, what concerns the people, governments, and the international community can be collapsed under a singular name tag: development; although at different levels. The development concerns at both the level of government and the international community converge at the question of how to overcome the challenges to peace through development.⁵⁴

It should be noted that building a functioning polity is central to ensuring that the central objectives of the post-conflict reconstruction phase are met. This point to the direction of building the capacity of the institutions of government to ably address issues that might lead to resurgence of violence. Resurgence of violence can accrue from neglect of military security challenges that may even emanate from external dynamics like refugee warrior communities, and sometimes it might accrue from low human security as a result of the neglected human needs of the populace of the state emerging from a violent conflict; which is more often reflected in the improvidence and sometimes sheer manipulation of inequity in the provision of public goods like education, transport infrastructure, and job opportunities by the political elites. So, to this study any development attempt aimed at thwarting further violence after a conflict should have to focus on both the concerns of the people as far as their security is concerned and the security of the state (which glorifies military security concerns).

⁵² Sophie Bessis, *Western Supremacy: The Triumph of an Idea?* (London: Zed Books, 2003), 114, uses the concept ``privileges of power to connote the various economic and political resources at the service of the west; which are variously used to force the developing countries to adopt policies under the rubric of the west.

⁵³ Krasner and Pascual, *Addressing State Failure*, 2005, in their appraisal of the creation of the Department of Reconstruction within the State Department advocate pressure from United States, using its supremacy, to make post-conflict countries adopt democratic reforms as a measure to curtail state failure.

⁵⁴ Roland Paris, *At War's End: Building Peace after Civil Conflict* (New York, Cambridge University Press, 2004), 302.

Emphasized should be made that it has been severally argued that development is a precursor to a peace without recourse to violence. But what should be the focus of development during post-conflict reconstruction if a resurgence of violence is to be avoided or at least contained when it occurs? To answer that question, it has been suggested that the answer lies in appropriate development in the aftermath of a conflict and that development is precisely put as national sustainable development planning⁵⁵. Human security is stated as an integral element of National Sustainable development that is supposed to be catered for during post-conflict reconstruction.

Human security focuses on the security of the individual as this study will delineate later. This study contends that ``the wretched``, if we borrow the lingua of Frantz Fanon in his seminal publication: ``The Wretched of the Earth``; the people, who have been sore put by the conflict, hope for a settled life when the sounds of the guns subside, but to put their expectations in a simple measure: they hope for increased Human Security which entails personal security, health security, food security, environmental security, community security, political security, and economic security.⁵⁶ The realization of development, be it in Human Security, requires an array of functioning institutions of government: the machinery of the state-- its government; should be in position to streamline the development process during the reconstruction process. Even where the international community is at the vanguard of the reconstruction process, the state/government has to be empowered to take over the development process as the international actors start to roll-out.⁵⁷

⁵⁵ The Development Account Project (ROA 105); *Working Draft Paper of the Challenges and Capacity gaps in the area of comprehensive development planning in Post-Conflict context*, (http://www.un.org/esa/dsd/dsd_aofw-nsds-Pdfs/analysis.pdf):18-37, Suggests that the several challenges to the peace of countries emerging from conflict can be well addressed through a well integrated approach to development which it precisely refers to as National sustainable development planning, which aims at addressing; environment factors like, overlapping claims on natural resources; demographic changes like, population growth and movements, youth bulge, joblessness ; economic factors like, lack of economic opportunity, protection and loss of livelihood; shadow economies and corruption; social organisational and political economy factors like, perceived relative deprivation, low human security, poor and corrupt governance, ethnicity, group-ness, power disparity, elite dominance and elite capture of resources, social marginalisation and lack of balance in authority and ``cult of personality``.

⁵⁶ United Nations Development Programme (UNDP), *UN Human Development Report* (New York: Oxford University Press, 1994), (3), 22-23, for a detailed exposition of the meaning of the different elements of human security.

⁵⁷ Krasner and Pascual, *Addressing State Failure*, 2005, argue that whereas the international community has to take immediate action to ensure providence of basic services like food, a move towards ``local

Therefore, it is a major contention of this study that the rejuvenation of the administrative and extractive state apparatus; the instruments that allow the state to function properly is a very urgent task. The state apparatus: the Public Service for economic and financial control, educational control, state security control, Health control; elements that are sacrosanct to a country's state capacity are also supposed to be a centre of attention during reconstruction.

It is also contended that the institutions for governance have to be reformed in a manner that can promote development. Reforms that are aimed at reducing corruption, poor planning, and misuse of resources through unnecessary expenditures have to be made to ensure a more responsible state to champion a successful post-conflict reconstruction.⁵⁸ This means that if development is central to the post-conflict reconstruction process; then development ought to focus on ensuring that a resurgence of violence is thwarted, and that development has to be structured in such a way that it entails improvement in the ability of the state to plan and execute its functions (state capacity). The improvement in the state's capacity to execute its functions aims at enabling the institutions of government to be in position to address the challenges to peace which may accrue from the effects of the conflict, and the unresolved issues that may lead to a resurgence of violence. These issues however differ from one conflict to another, and in the context of this study the focus is on the weaknesses in state capacity and human insecurities; as

involvement and ownership'' should be facilitated. This requires a capable state to take on the responsibility as the international community rolls back its providence. They also suggest that the ''supply side'' of governance which entails organisation of markets, tax systems, banks and general regulation of the economy, creation of political structures like the constitution, creation of institutions for the observance of law and order, has to be given attention during reconstruction. However, this requires a committed and able government as the functioning apparatus of the state.

⁵⁸ *Ibid*, 2005, envisages that there are four transitional phases to which attention must be directed for a successful Post-Conflict Reconstruction Process. They include a commitment to stabilization which requires taking appropriate attention to keeping law and order, ensuring access to food and basic services, a commitment to a political transition, a focus on job creation, settling of returnees and the internally displaced persons. The second phase in the transition entails a focus on addressing the root causes of the conflict, by putting in place measures to curtail corruption, economic decay, abuse of the right to participation in politics and self-aggrandizement using public resources. The third phase focuses on kick-starting governmentality to ensure the providence and control of the state. This is at the heart of state-capacity as it calls for creation of institutions for political (putting in place a constitution, political structures, parties; and laws, courts, police and penal systems to create the rule of law), and economic governance (fostering the elements of markets, tax systems, banks and regulatory policies to make an economy function); to ensure orderliness within the economic and political spheres of the state.

issues that structured the violence which culminated into the genocide and that these issues persisted even into the post-conflict phase albeit in different standing and magnitude, but to lead to a resurgence of violence.

It is thus argued that human security concerns require state institutions to ensure the provision of human needs, and that a neglect of providing the human needs that guarantee human security can easily undermine not only the security of the individual but also that of the state which is pejoratively sometimes put as the regime in the context of political Sub-Saharan Africa. In other words, the study in terms of discourse situates itself in the areas of development and security during post-conflict reconstruction.

1.4.2.1 The nexus between Post-Conflict Reconstruction, Development and Security

Aware of the internal and external challenges and demands, coupled with a dearth of resources which Post-Conflict governments have to grapple with in streamlining development in Post-Conflict Situations; the study contends that in trying to circumnavigate the question of development, governments ought to grapple with the question: What should be the focus of development during post-conflict reconstruction. It is a major argument of this study that development during post-conflict reconstruction phase ought to focus on addressing the issues that structure (d) the violence during the conflict, and those which threaten a resurgence of violence. It also argues that much as post-conflict reconstruction involves an array of actors, there has to be a commitment to developing the capacity of the state to plan and execute its functions. This also points to the need to focus development to forging an appropriate security policy to thwart a resurgence of violence. It is the logic of this paragraph that indicates the direction that the inquiry and analysis of this study takes in the subsequent chapters.

It is underscored that violence during conflict is structured by a number of issues; including human security concerns, and that without addressing those issues, avoiding a resurgence of violence which is the ultimate objective of post-conflict reconstruction may not be attained. It is further contended that the structure of violence differs from one conflict to another.

Accordingly, this study obtains from circumstances where as a result of weaknesses in state capacity; human insecurities became part of the structure of violence during the conflict, and where human security related concerns converged with state security related concerns to threaten a resurgence of violence during post-conflict situations. In trying to examine this trajectory of issues, Rwanda becomes the study's natural point of departure: a case study against which the questions which orient this study are investigated.

The empirical inquiry of this study is based on Rwanda for two reasons: the extent of the violence which occurred, its compounding effects; like the refugee phenomenon in

Eastern Congo, and the extent to which its post-conflict reconstruction has been widely acknowledged in policy and academic literature.

As regards the time scope of this study, it should be emphasized that the time period that Post-Conflict Reconstruction is supposed to take is generally elusive. Sometimes a given state may get stuck for so long in Post-Conflict situations. But Collier notes that post-conflict reconstruction should ideally take at least nine years of a commitment to activities to thwart the causes of conflict not to recur and attempts to overcome the costs of the conflict. It is noted that the first post-conflict period may contain anything from zero to 47 months of peace and the second phase containing 48 months of peace. He explains that the period is put under three economic growth episodes each consisting three years making nine years from the end of the conflict.⁵⁹

However, much as Collier's nine years of the reconstruction process can be said to be a proper delimitation of the Post-Conflict Reconstruction, the reconstruction process can go on beyond nine years as the experience of Iraq and Afghanistan may attest. But because no country can be theoretically speaking in reconstruction forever, then, Collier's time frame can suffice to guide the delimitation of the time-frame within which a research aimed at capturing the processes of reconstruction in a specific country can be done. This study looks at Rwanda within Collier's reconstruction time framework, and the study limits itself to the time period 1994-2005. Though Collier's framework may be dismissed as being conjectural, in the context of Rwanda, the period can suffice given that it is also during that period, as earlier noted, that the State in Rwanda was grappling with a considerable measure of political, social and economic challenges; with several weaknesses in its state capacity.

As regards the content scope of the reconstruction process, it should be emphasised that reconstruction may go beyond reconstitution of the pre-conflict order, to starting a new. The World Bank contends that reconstruction does not connote a return to the pre-conflict social, political and economic situations, but rather to forging a way forward in

⁵⁹ Collier and Hoeffler, *Aid, Policy*, 2002.

terms of creating: ``...enabling conditions for a functioning peacetime society. ``⁶⁰ However, as noted earlier, it should not be construed that in all instances, reconstruction, for the lack of a better phrase: starts from the scratch. Indeed, even where all the functioning institutions of society crumble under the heavy destruction and distraction of a conflict, a semblance of organisation remains, at least in terms of the Diaspora communities, who can always be called on to come to forge a functioning sovereign as the case of Somalia, has severally attested..

Further, the reconstruction process requires a commitment to streamlining issues of governance, building institutions for governance which to Fukuyama refers to as ``state building`` aimed at ensuring provision of urgent services like law and order, and the necessary legislation for a peaceful society.⁶¹ The return to ``a functioning... society`` as the World Bank puts it seems to be the central concern of post-conflict reconstruction efforts. Also the provision of what Fukuyama calls ``urgent services`` requires a functioning polity—functioning institutions of government like the police, army, judiciary, a functioning bureaucracy, legislature and the executive arm of government to foresee the functions of government. But the issue of content scope within the context of Rwanda is elaborated on later, in the section which discusses the Rwandan experience within the conceptual frame rendered by human security and state capacity.

As far as who should be at the vanguard of the post conflict reconstruction process, though this study underscores the imperativeness of a functioning state/government, it does recognise that post-Conflict reconstruction involves the participation of both the international actors and the domestic actors; most especially the civil-society. It is also important that the government at the helm of the affairs of the state in the post-conflict phase is empowered to play its role.⁶² This means that even where the international community has to take immediate action to ensure providence of basic services like food, a move towards what Krasner refers to as ``local involvement and ownership`` should be

⁶⁰ Kreimer Alcira, Eriksson John, Muscat Robert and Arnold Margaret, *The World Bank's Experience with Post-Conflict Reconstruction* (USA, Washington: The World Bank, 1998), 14.

⁶¹ Francis Fukuyama, in, *The Imperative of State-Building* (Journal of Democracy, MUSE projects, <http://muse.jhu.edu>, 2004).

⁶² See, Collier, Hoeffler and Soderbom, *Post-Conflict Risks*, 2008:462.

facilitated. ``Local involvement and ownership`` requires a capable state to take on the responsibility as the international community rolls back its providence. This does not negate the fact that domestic civil-society organisations also do play a vital role, but that is not part of the research agenda of this study.

On the other hand, Post Conflict Reconstruction does not always entail a somewhat linear flow of activities; that there has to be a transition from the International community to a capable government. There are instances where the state/post-conflict government as a local agency plays a vanguard role in the reconstruction with the international community playing a facilitation role in terms of monetary support. In Uganda, for example, after the conflict that ended in 1986, the National Resistance Movement was at the centre of the reconstruction process. In Somaliland after the collapse of Saidi Bare's government in 1991, the political and business leaders provided the direction to reconstruction. With little international support in the context of Uganda, and no international support in the case of Somaliland, capable local agency or agencies, more so a functioning government, which was and still *defacto* in the context of Somaliland, championed the post-conflict reconstruction process.⁶³ It is also said that local agency-led reconstruction is more viable in instances where the: ``...well organised insurgencies claim victory in wars whose outcomes are not negotiated by outsiders.``⁶⁴

A successful reconstruction process requires a focus on building institutions of a functioning sovereignty, and if they are weak,⁶⁵ their empowerment (through restructuring and revitalisation process for example through appropriate staffing), and

⁶³ Englebert and Tull, *Post Conflict Reconstruction in Africa*, 2008, 136-137.

⁶⁴ *Ibid*, 136, quoting, Jeremy Weinstein, ``Autonomous Recovery and International Intervention in Comparative Perspective``, pp.10-11.

⁶⁵ Reviewing the different dimensions to the conceptualisation of the notion of ``weak state``, Masahisa Kawabata, in, *An Overview of the Debate on the African State*, Afrasia Centre for Peace and Development Studies, Ryukoku University, Working Paper Series No.15, observes an agreement over what constitutes a weak state, and what should be the indicators, has not been reached. However, the variant conceptualisation of weak state that is attributed to Lemarchand, in, *Patterns of State Collapse and Reconstruction in Central Africa: Reflections on the Crisis in the Great Lakes Region* (Afrika Spectrum, Vol.32, No.2, 1997):173-193, where he analyses the factors that culminate into weak statehood or ``state erosion`` as being: ethnic exclusive policies, population density, and shrinking of the political bases of state authority, resonate well with the experiences of Rwanda, the case of this study.

aligning them to focus on addressing the human insecurities that determined the structure of violence of the conflict in question and those threatening a resurgence of violence.

Owing to the area scope of the study, it is argued that addressing the issues that determine (d) the structure of violence during post-conflict reconstruction situations requires a dual approach to security. The dual approach to security in the context of this study is a focus on human and state security, with attention to the issues that determined the structure of violence but falling within the boundaries of the two security areas, but sometimes cross-cutting in their cause-effect relationship.

It should be noted, as it clearly emerges from the subsequent specific chapters of this study, that sometimes a commitment to the two security areas eludes both International and domestic actors, and that a commitment to one aspect may end-up overshadowing the other. For example, in the quest for state security, a post-conflict government may undermine human security related concerns like personal security, political security, water, food and a place of abode, among others. A neglect of one level, either state security or human security can easily lead to the increase in the probability of a resurgence of violence. Human security may exacerbate the disorientation of the people, even civilians: making them prone to quick mobilisation for group violence thus resurgence of violence.

It is underscored that the importance of addressing the threats to both Human and state-security, and concentrates, as part of its research agenda, on how threats to human security and state security converge to lead to violence. This is because whereas governments recognise easily the importance of ensuring state-security concerns; by swiftly embarking on building their militaries, the concerns of the people are sometimes relegated at the very periphery of government action, left to the providence of Non Governmental Organisations. Yet in some instances the neglect of one security threat area undermines another security area. As such, the study argues that state capacity as a central element of development during post-conflict reconstruction, should focus on the provision of human securities with emphasis on addressing the human insecurities that shape (d) and shake (n) the structure of violence during the conflict. However, the study

by way of underscoring the importance of human security, it also delineates how human security can serve to substantially undermine the security of the state which is the central focus of the traditional conceptualisation of security. But how does this study conceptualise state capacity in post conflict reconstruction situations? The following section is an attempt to situate state capacity within the conceptual parameters of this study.

1.4.3 The Meaning of State-Capacity and its imperativeness in Post-Conflict Reconstruction Situations

Whereas there are a plethora of definitions for state-capacity and what it should entail, their point of departure is the question of the ``scope`` and ``strength`` of the government.⁶⁶ State-Capacity entails a measure of ingredients, and indeed little do we get the conceptualisation of state-capacity by way of explanatory definition, but by heuristic definitions; delineating what state-capacity should be comprised of. The discussion that follows tries to capture the nature of the conceptualisation of the meaning of state-capacity in the context of Post-Conflict reconstruction.

First forward, Cullen S. Hendrix summaries for us the definitional debate concerning state-capacity. He notes that there has been a measure of contest as regards the conceptual meaning of state capacity. He however collapses what he calls the competing definitions and operationalisation of state capacity into three issue areas: military capacity, bureaucratic capacity-administrative capacity, and coherence of political institutions..⁶⁷ However, this study looks at the three definition and operationalisation areas not as competitive, but rather complementary. This is because the success of one issue area requires the presence of the other

It is advanced that civil conflict, which is the focus of this study undermines the ability of the state, its state-capacity to provide public goods like education, health, keeping of law and order and transport infrastructure at all levels of government; local and national.⁶⁸ This implies that it is imperative that reconstruction efforts aimed at kick-starting development in the post-conflict state have to also focus on building viable government

⁶⁶ Fukuyama, in, *The Imperative of State-Building*, 2004, outlines the distinction between ``scope`` and ``strength`` as variants of state-capacity. He notes that scope refers to the array of functions and objectives of the different activities which the state/government engages in, whereas strength refers to the ability to plan, execute policies and enforce laws in a systematic and transparent manner.

⁶⁷ Cullen S Hendrix, in, *Measuring State Capacity: Theoretical and empirical implications for the study of Civil Conflict*, (Journal of Peace Research May 2010): 47:273-285.

⁶⁸ See Mauricio Cardenas, Marcela Eslava and Santiago Ramirez, *External Wars, Internal Conflict and State Capacity: Panel Data Evidence* (Latin American Initiative at Brookings: 2012); Krasner and Pascual, *Addressing State Failure*, 2005.

institutions for the effective provision of public goods. A capable government has been said to be a prerequisite for a smooth post-conflict reconstruction process and governance.

Roland Paris notes that peace building operations have been a fiasco in many countries (like in Rwanda and Angola), not because the goals were not clear but rather because the means were not well-thought. He castigates the notion of quick liberalisation-- a method adopted by the International donors and institutions for economic and political development in countries emerging from conflicts. Accordingly, he advocates creation of institutions for governance, curtailing in the short-run political and economic competition in a bid to create foundations for peace and democracy in the long-run. To him liberalisation should be preceded by institutionalisation.⁶⁹

As precisely noted earlier, it is contended that the challenges that Post-Conflict reconstruction situations pose to the state are similar to the problems of state-building in low income countries: grappling with the challenge of poor and weak institutions. It is suggested that these problems coupled with the risk of conflict resurgence as major challenges to Post-Conflict Countries may not be ably addressed through democracy.⁷⁰ This is because whereas those who promote democracy assert that it lowers the incentives for rebellion—the resurgence of conflict, to the contrary, it is alleged that democracy constrains the technical possibilities of government repression; thus making the re-occurrence of rebellion easier.⁷¹ This study does not sustain this debate, but rather to use the argument therein to carry forward the argument that functioning government institutions are central to streamlining the activities which take place during the reconstruction process.

⁶⁹ See Paris, *At War's End*, 2004; Paris, in, *Bringing the Leviathan Back In*, 2006.

⁷⁰ Paul Collier, *Post-Conflict Economic Recovery*, A paper presented for the International Peace Academy, Department of Economics, Oxford University Revised April, 2006.

⁷¹ Paul Collier and Dominic Rohner, *Democracy, Development and Conflict*, (<http://www.users.ox.ac.uk/econpco/research/pdfs/democracydevelopmentconflict.pdf>, 2010): accessed: 25/11/2012, 19:30pm. Also see, Pierre Englebert and Denis M. Tull, *Post Conflict Reconstruction in Africa*, 2008, 134, castigating what he calls "an outsider's bias" to reconstruction—to indicate how the Euro-Atlantic models of governance are imposed onto societies emerging from conflicts, he indicate instances where early elections have led to violence, just because they were not preceded with the building and empowering the institutions of a functioning sovereign. He gives the example of Angola 1992, Democratic Republic of Congo, July 30th, 2006, Liberia 1997, and Rwanda in 1994.

So the need for functioning government institutions--state capacity, in the reconstruction process cannot be overemphasized. To Krasner, the process of streamlining government institutions, which is the third phrase in his ``transition phases`` of reconstruction should entail: ensuring the providence of public goods by the government which encompass: putting in place institutions for taxation, banking and regulation of the economy through macro and micro-economic policies; putting in place the institutions for governance like the constitution, legislature, judiciary, police and penal systems for rule of law among other requirements of a functioning sovereign. He notes that as people emerge from crises like violent conflicts, the need for security to guarantee a settled life is primary, and this requires the institutions for law and order whose absence or inefficiency may be an indication of continued state-failure.⁷² It is alleged that where governments fail to maintain monopoly on the instruments of physical violence as a mechanism of maintaining law and order, then, the probability of violent disorder which sometimes leads to civil-wars becomes manifest.⁷³

Accordingly, the relationship between state capacity and conflict has been variously explored. It is postulated that a capable government is central to avoiding conflict, and it is severally suggested that the fear for a strong repressive machinery of government usually keeps the intentions for a rebellion at bay. This should not be construed as making a case for too much a government-which is a dictatorship, but rather a situation where government institutions are empowered to avoid anarchy as a result of too little a government.

Also in instances where the government has the ability to streamline distribution and redistribution of political and economic benefits equitably, then, we are told that the

⁷² Krasner and Pascual, *Addressing State Failure*, 2005. Also see, Annika S Hansen, *Building Local Capacity for Maintaining Public Security* (Conference Paper, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Paper Written for the Workshop of the PFP-Consortium Study group ``Security Sector Reform`` in Riga: 2005., Also see, Lisa Chauvet, Paul Collier, and Anke Hoeffler, *The Cost of Failing States and the Limits to Sovereignty* (Research Paper No.2007/30, United Nations University (UNU-WIDER, World Institute for Development Economic Research, 2007).

⁷³ Cf., Matthew Adam Kocher, *State Capacity as a Conceptual Variable* (Yale Journal of International Affairs, Spring/Summer 2010), and Lisa Chauvet, Paul Collier, and Anke Hoeffler, *The Cost of Failing States and the Limits to Sovereignty* (Research Paper No.2007/30).

motivation of individuals to participate in group violence will be lessened. To Paul Collier, the inability of governments to raise enough revenue through effective institutions for taxation has been outlined as an issue which undermines provision of public goods like education, health, law and order which inadvertently leads to conflict as the alternative to be forgone by joining a rebellion is minimal. As such, legal capacity to enforce adherence to contracts and fiscal capacity for regulations of financial markets and effective tax collection are added onto the definition of state-capacity in the context of furthering development.⁷⁴

Thus, the ability of the state to provide for its people is paramount and the inability of states to function effectively increases the vulnerability of people to human insecurity as a result of poverty, diseases of which HIV/AIDS is instructive, domestic and international terrorism, ethnic cleansing, piracy, refugee flows, illicit economies, corruption, famine and underdevelopment; vulnerabilities that sometimes have a spill-over effect beyond the borders.⁷⁵ Lisa Chauvet and her colleagues note that a weak state/government, ``failing state`` is catastrophic at three levels: its effects on denizens of neighbouring states as violence spills over, effect on the citizens of the state in question as they grapple with poverty and internal violence as a result of the failure of the state to provide adequate security and basic public goods such as education, health education, water, personal security and transport infrastructure. Their perception index, at the time of writing is that the cost of failing state is US\$276 billion annually, which is greater than the amount, in terms of contribution from the developed countries that is necessary for poverty eradication per year.⁷⁶ This seems to suggest that absence of adequate state-capacity can lead to cataclysmic outcomes as it increases the vulnerability of the population to life threatening incidences like diseases and physical violence.

⁷⁴ Timothy S. Besley and Torsten Persson, *State Capacity, Conflict and Development* (Working Paper 15088, National Bureau of Economic Research, Cambridge, <http://www.nber.org/papers/w15088>, 2009). Also see, Mauricio Cardenas, Marcela Eslava and Santiago Ramirez, *External Wars, Internal Conflict and State Capacity: Panel Data Evidence* (Latin American Initiative at Brookings, 2012).

⁷⁵ Fukuyama, *The Imperative of State-Building*, 2004. Also, see, Kocher, *State Capacity as a Conceptual Variable*, 2010.

⁷⁶ Chauvet, Collier, and Hoeffler, *The Cost of Failing States*, 2007, 30- 20 07:1-11.

Explaining how the levels of organised violence undermine the daily life of South Africans, which is a great threat to their human Security, Lala Camerer acknowledges that improvements in state-capacity with an effective bureaucracy to deliver on legislating, mitigating and prosecution of crime related to corruption and violent crime will lead to improvements in human security.⁷⁷ So, the meaning of state-capacity rotates much on the institutions for governance, and their scope and strength cannot be reduced to a single definition. If the research question is military oriented, then, the analysis can obtain from the strength and scope of the military in terms of personnel and armoury. If the question is largely financial control, then, the definition can be limited to fiscal capacity of the state.

Accordingly, for the purpose of this study, the conceptualisation of state capacity that Francis Fukuyama advances in his treatment of the imperativeness of state-building suffices, and provides a rather comprehensive measure of state capacity. He defines state-capacity in terms of institutional capabilities of the state, its:

...ability to enact statutes and to frame and execute policies; to administer the public business with relative efficiency; to control graft, corruption, and bribery; maintain high level of transparency and accountability in governmental institutions; and most importantly, to enforce laws.⁷⁸

Fukuyama's definition rotates on efficiency, and state/government efficiency in conflict situations has to be of ``conflict-carrying capacity`` benefit.⁷⁹ The study, obtaining particularly from Fukuyama's definition, but not ignoring the concerns of other definitional issue areas, analyses Rwanda's post-conflict reconstruction within the confines of state-capacity and human security, other issues which are tackled by this

⁷⁷ Lala Camerer, *Law and the State: Limitations to human security*, in, Marie Muller and Bas de Gaay Fortman, eds., *Human Security in a Southern Africa Context* (Netherlands: Van Gorcum Publishers, 2004).

⁷⁸ Fukuyama, *The Imperative of State-Building*, 2004, 22.

⁷⁹ J. Graig Jenkins and Doug Bond, in, *Conflict-Carrying Capacity, Political Crisis and Reconstruction: A Framework for the Early Warning of Political System Vulnerability* (Journal of Conflict Resolution, Vol.45, No.1 Feb., 2001, 3-31, Sage Publications, inc, <http://www.jstor.org/stable/317628>), defines conflict carrying capacity as the ability of political systems to regulate intense conflict, through institutionalised mechanisms for arbitration and negotiation, claims of popular support, co-optative controls, electoral processes, and/or violent repression.

study, inter alia, matters of state-security are discussed in relation to the two central focus areas under study. But what is human security, and how does this study employs it.

1.4.4 Human Security and its analytical utility: a bridging concept between development, conflict and security in post-conflict reconstruction situations

When the United Nations Development Programme, Human Development Report of 1994 gave an exposition to what it referred to as the ``New dimensions of human security``, with a call for a focus on the security of the people, a departure from the traditional conceptualisation of security that placed emphasis on the security of territorial borders of states,⁸⁰ what followed was academic and policy debates with either supporting or off-putting reasons for or against human security.⁸¹ To the UNDP, the human security approach, was advanced as ``a new paradigm for development`` which required an emphasis on ensuring economic security (job and income security), health security, environmental security, personal security (security from crime), political security and community security.⁸²

⁸⁰ UNDP, *Human Development Report 1994*, Chapter 2.

⁸¹ See, Mary Martin and Taylor Owen, *Routledge Handbook of Human Security* (Routledge, 2014), for a thorough exposition of the debate that has surrounded the conceptualisation of human security. Also see, S. Neil MacFarlane and Yuen Foong Khong, *Human Security and the UN: A Critical History* (Indiana University Press, 2006) for a delineation of how the concept of human security has evolved within the workings of the United Nations Organisation and the contradictions it has generated during its historical evolution. And see, Shannon D. Beebe and Mary Kaldor, *The Ultimate Weapon is no weapon: Human Security and the new rules of war and peace* (Public Affairs, 2010) for a philosophical normative treatment of the foundations of the meaning of human security and its rationalisation.

⁸² UNDP, *Human Development Report 1994*, Chapter 2.

So, the initial agenda of human security was development focused but later to be given a security connotation as discussion about its operationalisation picked academic and policy momentum.⁸³ Contradictions in its operationalisation were abounding that it was erased from the 2005 Copenhagen Declaration of Social Development and the Canadian Foreign Ministry dropped it from its agenda, but the debate about the concept endures.⁸⁴ This study situates itself in that debate and in the context of this study, human security is not a theory; it is a concept that finds support from the human needs theory, the way state security finds support from the theories of political realism. The human needs theory as an approach to understanding the causes of social conflict postulates that social conflicts happen as a result of unmet basic needs, and that efforts to thwarting conflicts have to be directed at ensuring that those needs are met. The needs according to John Burton range from security, identity, recognition, family and community to personal development.⁸⁵ These basic needs if not met can lead to *pathological fear* which undermines the wellbeing of the individual and the community leading to social violent reactions and thus the ``security nexus`` of basic needs.⁸⁶ It is at this point that in the inquiry made by this study, human security is perceived as a somewhat addendum to the logic of the human needs approach to the analysis of violent conflicts and their related concerns.

It should be noted that the human needs theory obtains from the logic of Maslow's hierarchical structure of human needs, ranging from; food, water, shelter, safety and security. As an approach to understanding the causes of conflicts, the theory combines human needs, conflict and peace.⁸⁷ In conflicts which obtain from unmet basic needs, the recommendation during efforts aimed at conflict resolution of which post-conflict reconstruction is part, has been a focus on ensuring the provision of human needs by the state and non state actors.⁸⁸

⁸³ See, Martin and Owen, *Routledge Handbook of Human Security*, 2014. Also see, Shahrbanou Tadjbakhsh and Anuradha M. Chenoy, *Human Security: Concepts and Implications* (Routledge, 2007).

⁸⁴ See, *ibid*, 2014, and specifically Chapter 6, Keith Krause, *Critical Perspectives on Human Security*.

⁸⁵ John Burton, ed., *Conflict: Human Needs Theory* (The Conflict Series, Pgrave Macmillan, 1993).

⁸⁶ Marie Douley, *Understanding the roots causes of conflicts: Why it matters for International Management*, (International Affairs Review xx, Number 2 Fall 2011).

⁸⁷ H.B. Danesh, *Human Needs Theory, Conflict and Peace* (The Encyclopaedia of Peace Psychology, Published by: online, 13 Nov, 2011; DOI: 10.1002/19780470672532:wbep127).

⁸⁸ Kevin Auruch and Christopher Mitchel, eds., *Conflict Resolution and Human Needs: Linking Theory and Practice* (Routledge, 2 Parksquare, Million Park, Ahingdon, Oxon Ox 14 4RN, 2013).

However, when Marie Douley talks of *pathological fear* as a result unmet basic needs and then, ``security nexus`` accruing to social mobilization for group violence,⁸⁹ parallels are drawn with human security a concept whose definition has been variously put as: ``freedom from fear and want``. The providence of human needs is a subject of development; violent conflict is sometimes a subject of security lapses, and to this study the concept human security presents a somewhat medium, a somewhat metaphysical bridge through which the three issues; development, conflict and security metaphysically communicate to each other particularly along the continuum of post-conflict reconstruction.

Accordingly, an argument is advanced to the effect that basic needs parse may not always lead to violence; it is only when they lead to ``fear`` punctuated with pain and uncertainty about the future that they become a security threat to the security of individuals which has been put as human security. The mobilization of individuals to engage in group violence upon mobilization becomes easy where fear is manifest, and it can be concluded that when unmet basic needs lead to what Douley refers to as ``pathological fear``, they not only threaten the security of the individual, which is human security, but can also determine the structure of violence during conflict thus becoming a security threat even to the large community which in the context of this study is the state.

The justification for the adoption of human security as part of the concepts that orient this study obtains from its utility as a bridging concept between Security, Conflict and Development. It also obtains from the view that the human security concept finds topicality in the human needs theory and how it has been used in the discourse concerning the nature of the causes of the conflict which culminated into the genocide. The study explores how the human needs theory has been used to explain the structure of violence in the genocidal conflict which took place in Rwanda. It subsequently argues that improvidence of some human needs by the government using its state capacity becomes a security concern to the people as it undermines their survival, their human

⁸⁹ Douley, *Understanding the root causes of conflicts*, 2011, 4-8.

security, making them to leave in *perpetual fear*, and that it is that fear that is manipulated by the political elites who are interested in using violence to attain political ends. It is majorly contended that addressing human needs which are central to human security becomes a security strategy to avoiding a resurgence of violence during post-conflict, and that post-conflict reconstruction has to ensure development in state-capacity to ensure providence of human needs that guarantee human security. The study further postulates that human security does not only undermine the security of the individual but also the security of the state in the traditional sense of ensuring territorial integrity through military power.

Indeed, the unanimous support that the Jordan consensus document on human security received from the Members of the General Assembly underscored the emerging importance of human security in matters of state –craft. It also underlined the need for states to focus on human security issues as part of the core business of governments.⁹⁰ When the resolution provided that human security issues are matters internal to states, it seemed to bring human security more into the domain of internal security discourse, a departure from the much contested international security discourse, though the nexus of the two security areas cannot be negated. As such, in the internal arrangement of society, the state, among other core functions, has also to give priority to the concerns of the people—human welfare as it executes its duties if it is to appear legitimate to the people.

It should be noted that there are other concepts which have been used to analyse the violence which culminated into the genocide in Rwanda. Instructive of these concepts is the concept of structural violence⁹¹; particularly employed by Peter Uvin employed in his analysis of how development aid in Rwanda fuelled the genocide. He notes how deep seated social exclusion which was part of social institution arrangement of Rwanda fuelled the genocide. To him the social exclusion was sustained and manipulated by

⁹⁰ See, Official Records of the General Assembly, Sixty-Six Session, Plenary, Agenda Items 14 and 17 (A/66/PV.127) and Corrigendum, http://www.un.org/ga/search/view_doc.asp?symbol=%20A/RES/66/290; Accessed on: 23 November, 2012, 5:03pm.

⁹¹ For a thorough exposition of the concept structural violence, see, Johan Galtung, *Violence, Peace and Peace Research* (Journal of Peace Research, Vol. 6, No. 3, 1969): 167-191.

colonialism and it manifested itself through poverty and inequality in the distribution of land and income.⁹²

However, the concept of structural violence does not avail us with a framework through which we can discuss the three moments of a post-conflict society; conflict, development and security, with a major objective of thwarting a resurgence of violence. This is because whereas the concept structural violence outlines clearly the causes of the structure of violence during the conflict, it does not succinctly address itself to the move from conflict security through development. Indeed, even Peter Uvin does not employ it beyond identification of the structure of violence. Human security fits into that gap as illustrated as follows:

Apart from Amitav Acharya⁹³ and Bajpai's⁹⁴ treatment of human security, much of the discussion of the utility or disutility of human security, in essence, does not answer one fundamental question: what was the initial agenda of human security? Or to put it differently: which questions did the concept initially intend to address? What we read are dismissals and counter-dismissals between the critics and defenders of human security. The dismissive academic debate surrounding human security has particularly rotated around three major threads; the argument that bringing Human Security issues into the International Security framework that looks at the state as the referent object of security will subsequently undermine the notion of the sovereign state on which the international security framework hinges, the argument that the concept is too broad to be defined, and that the several issues areas it suggests to be included on the security agenda will make the prioritisation of security threats problematic, and from a typically disciplinary angle, the major critic of human security from the state-centric approach to security has been that the concept does not resonate well with the known parameters of the discipline of international relations and security studies whose main focus is the interaction among

⁹² See, Uvin, *Aiding Violence*, 1998. Amitav Acharya, *Human Security: East versus West?* Institute Of Defence and Strategic Studies, Singapore, September, 2001: Abstract

⁹³ Acharya, *Human Security: East versus West?*, 2001, 10.

⁹⁴ Bajpai, *Human Security: Concept and Measurement*, 2000, 2.

states and how to forge order out of anarchy. So, the basis of this line of criticism is that human security undermines the discourse concerning the concept security.⁹⁵

It should be outlined that Wendt advises us to be cognizant of the way different research projects seek to ask and answer different questions, and that constructive criticism has to be cognizant of the nature of questions.⁹⁶ The theorisation about human security should and need to factor-in this trajectory, both in the discourse of the critics and that of the proponents.

Indeed, to counter the dismissal of the concept human security as a concept without utility in the analysis of security concerns, Baldwin argues that security as a policy objective entails two conditions which give answers to the questions: ``security for whom?`` and ``security for which values?``.⁹⁷ To Baldwin the answers to the questions are dependent on the unit of analysis, whether it is the individual, state or the international system, and specific research questions to guide the inquiry.⁹⁸ It is to the same effect that Roland Paris advises that if human security is to serve as an analytical tool, then, it ought to be viewed as:

``...a label for a broad category of research in the field of security studies that is primarily concerned with non-military threats to the safety of societies, groups, and individuals, in contrast to more traditional approaches to security studies that focus on protecting states from external threats``.⁹⁹

⁹⁵ Pauline Kerr, *The evolving dialectic between State-Centric and human Security* (Australia: Australian National University, Department of International Relations,2003) Taylor Owen, ``What is 'Human Security'?`` (Security Dialogue Vol. 35, no 3, September, 2004, SAGE Publications, www.sagepublications.com) ; Jennifer Leaning and Sam Arie, *Human Security: A Framework for Assessment in Conflict and Transition Tool Kit*,2000,www.certi.org/publications/policy/human%20security-4PDF); Roland Paris, *Human Security: Paradigm Shift or Hot Air?* (International Security, Vol.26, No.2 Autumn, 2001, <http://www.jstor.org/stable/3092123>, Accessed: 24/10/2012 04:35pm.):87-102.

⁹⁶ See, Alexander Wendt, *Social Theory of International Relations* (Cambridge: Cambridge University Press, 1999).

⁹⁷ Baldwin, *The Concept Security*, 1997:5-26.

⁹⁸ *Ibid*, 1997.

⁹⁹ Paris, *Human Security: Paradigm Shift or Hot Air?* 2001, 87-103.

To Roland human security does not conflict with the traditional conceptualisation of security that looks at the state as the referent object for security, but rather as part of the ``matrix of security studies field``, with human security encompassing ``societies, groups and individuals``.¹⁰⁰ Through Roland does not factor in his analysis instances where different elements in the ``matrix of security`` may converge to lead to violent conflict, or where a threat to national security might impact on both the security of societies and individuals, and where the threats to the security of societies and individuals may consequently undermine national security.

Accordingly, the meaning of security and what it should entail can be perceived differently in policy making given the particularity of circumstance and when it comes to research, it is the nature of the research questions to which answers are sought for in an inquiry that determines the conceptualisation of security. Indeed Liotta notes how different ``descriptors`` have been added as suffixes to the word security.¹⁰¹ He writes of economic security, geographical security, gender security, cultural security, social security, political security and human security.¹⁰² Though he views the suffixation made onto the word ``security`` as ``basic``, his delineation of the ``boomerang effect``; a situation where neglect of either military or human security affects the other serves to depict his belief in the imperativeness of the two conceptualisation of security.

Indeed communication between the two security areas is variously suggested. The imperativeness of the communication between the two security areas obtain from the view that none of the two conceptualisation of security can comprehensively capture everything in the exploration and analysis of the security complexities of our world, a world punctuated with some security issues areas that are only unique to these times. Several issues succinctly put as: growing interdependence, the waning of state sovereignty, unprecedented technological advancements, increasing decimation of the utility of force, environmental degradation, globalisation of economics and culture, and globalisation of modern weaponry, among others; cannot ably be comprehended through

¹⁰⁰ Paris, *Human Security: Paradigm Shift or Hot Air?* 2001, 87-103.

¹⁰¹ Liotta, Boomerang Effect, 2002:472-488.

¹⁰² *Ibid*, 2002.

what is callously put as : ‘criminal obscurity of some international theorists ’, who engage in the conflation of ‘‘word problems’’ in their explanation of ‘‘world problems’’¹⁰³. Somehow, this study argues that, a conceptual dialogue can, and has to be forged in the security discourse if the security concerns of our times are to be addressed; to reach what Booth refers to as: ‘‘convergence utopian realism’’ which he explains using the analogy of the tramlines;¹⁰⁴ a departure from the ‘‘Knee-Jerk dismissals’’ of words as if words were the world they try to put in simple measure. To that effect, Taureck, Rita advises us that any critical engagement of approaches should start from the point of compatibility and then explore the questions; the nature of questions which the approaches in question intend to answer.¹⁰⁵ So, how compatible are the two approaches to security? Does the compatibility come in as a result of the unified explanatory utility of the two? Can one approach help in explaining and understanding what the other does not succinctly capture? Can there be a somewhat ‘‘communicative zone’’ of securities which is the contention of this study?

Amitav Acharya, succinctly captures for us the four oriental threads that converged to form the ‘‘human security idea’’. They ranged from: One, the growing incidence of civil wars and intra-state conflicts which are now outnumbering conventional inter-state conflicts, and that civil wars are now claiming more civilians than the men in uniform. Two, that the spread of democracy is a political imperative in matters of statecraft. Three, the emergence of humanitarian intervention hinging on the lifting of the ‘‘veil of sovereignty’’ by the international community to intervene in matters internal to states more so where human dignity is under attack, and Four, the concomitants of the economic crisis of 1990 that saw increased poverty, unemployment and social dislocation. To him these threads explain the different directions, sometimes sharply

¹⁰³ Booth, *Security and emancipation*, 1991: 314-315.

¹⁰⁴ Using the analogy of the tramlines, Booth, *Security and emancipation*, 1991, 317 explains that a comprehensive understanding and explanation of the security concerns of our times would require a somewhat analytical mixture of ingredients obtaining from different theoretical arrangements, like the World Society School, alternative security thinking, classical international relations, critical theory, peace research, strategic studies, and neo-realism. He likens the procedure to the way tramlines criss-cross, but to meet at a common point.

¹⁰⁵ Rita Taureck, *Securitization theory and securitization studies*, 2006 (Journal of International Relations and Development, (9) pp. 53-61, <http://dx.doi.org/10.1057/paggrave.jird.1800072>).

contradictory dimensions that the debate concerning human security took and continues to take.¹⁰⁶

Amitav Acharya, explaining what he calls ``a need-oriented `` approach to human security that is very popular in Asia Pacific notes how the regional economic crisis led to increased levels of poverty and this culminated into political violence epitomised in sporadic violence in Indonesia. To him this depicted how unmet human needs like provision of social safety nets for the poor can undermine the security of the individual and that of a country; as it leads to political violent conflicts.¹⁰⁷ Indeed, Edward Newman, alludes to Amitav's explanation. He captures for us the different strands of human security, which he calls the ``Different Notions of Human Security``. He explains the ``Basic Human Needs`` approach to Human Security propounded by the United Nations Development Programme as encapsulated in the 1994 Human Development Report. He notes that people today are more concerned with job insecurity, environmental degradation, food insecurity, and that these conditions if not addressed can lead to conflict. To the ``Basic Human Needs`` approach, he adds the ``assertive/ interventionist focus`` of human security, noting that this variant of human security obtains from the assumptions that the state may instead of guarantying human security abuse it, and that this calls for ``Humanitarian Intervention`` to thwart human suffering.

Also P.H.Liotta explaining how terrorism took United States of America by surprise on 11 September 2001, observes how urgent it is for security policy makers to metaphysically outlive their enthusiasm for a security policy framework that limits its focus on external aggression and the military as means for security. To him military threats and non-traditional threats: HIV/AIDS, environmental degradation, depletion of non renewable resources, drug cartels, terrorism, proliferation of small arms, cyber crimes; should be given premium in security policy discussions. Accordingly, he contends that any security policy that ignores the sanctity of both military and human

¹⁰⁶ Acharya, *Human Security: East versus West*, September, 2001: 9.

¹⁰⁷ *Ibid*, 2001, 7.

security threats is destined to lead to a ``a boomerang effect``¹⁰⁸; a somewhat metaphysical arrangement where a public policy on either human or state security one security; inadvertently undermines not only the neglected security area but also the prioritised security area. Liotta also underscores the imperativeness of moving towards ``Holistic thinking`` when it comes to discussions of national security. To him an appropriate security policy in today's dynamic world should be cross-disciplinary in its analysis of security concerns.

It is this scheme of things that reflects the meeting point of the so called state-centric and human security approaches to security. It is argued in here that human security and state security, within their practical and theoretical confines, mutually reinforce each other, and that neglecting a threat to human security has dire consequences on state security, and vice versa. There are complementarities of securities. This study delineates the supporting and off-putting evidence underscoring the circumstances under which the two security areas either mutually reinforce each other or contradict each other during post-conflict reconstruction situations.

Indeed, discussing her somewhat emerging ``Security Dialectic``,-- a somewhat metaphysical convergence of human security and state security concerns, Pauline Kerr, delineates how there is a confluence between state and people as referent objects of security, contrary to the two extremes depicted by the state-centric and human centric approaches to security. She cites Alex J. Bellamy noting how within the human centric school itself, emerging voices are acknowledging the shifting of means and ends: that while human security may be an end, sometimes it becomes a means to state security as an end. However, whereas conceptually speaking the ``security dialectic`` is clearly explained, it is not empirically sustained. This study empirically sustains its logic using the case study of Rwanda during its post-conflict reconstruction

¹⁰⁸ Liotta, *Boomerang Effect*, 2002. Also see, Derek S Reveron and Kathleen A. Mahoney Moris, *Human Security in a Borderless World* (Westview Press, 2011), for an exposition to the human security focus areas, that is; civic security, economic security, environmental security, maritime security, health security and cyber security.

Also, despite his treatment of human security concerns as part of the international norms to which the notion of collective security actions under international law should be applied, Sverre Lodgaard underscores the link between state and human security, presenting human security as, a ``companion concept`` to state security. He notes that whereas state/governments are sometimes a source of insecurity on their people, failed states-- states without capacity to govern effectively by ensuring law and order are a catastrophe to human security. He adds that observance of human security legitimises a government in the eyes of the people. He outlines that the security debate is now past the issue of referents; arguing that the point of contention is now on how to come up with a security framework that merges the two referents.¹⁰⁹

Indeed, Barry Buzan teaches us about ``the security problematique``. He notes that security has two faces, ``internal and external``. To him threats which accrue from both internal dynamics; like divisions within the state can undermine the security of the state and external threats like aggressive neighbours as it was with Britain with the Nazi German. He observes that sometimes external and internal threats converge as it was with the internal division in Pakistan which made intervention highly probable in 1971. Also the example of Gadaffi's Libya; with external bombardments in support of the ground onslaught by the rebels typifies the convergence of internal and external threats.

Indeed, the report of the Commission on Global Governance pointed to a move towards dual referents—the state and the security of the people obtaining from the impact of violent conflicts on the lives of people.¹¹⁰ Even the report of the United Nations High Level Panel on Threats, Challenges and Change, emphasises the imperativeness of complementarities of security with emphasis on human and state security, with states as the primary provider of security.¹¹¹

¹⁰⁹ Lodgaard, *Human Security: Concept and Operationalisation*, 2007.

¹¹⁰ Our Global Neighbourhood, *Report of the Commission on Global Governance* (Oxford University Press, 1995) as cited by Sverre Lodgaard, in, *Human Security: Concept and Operationalisation*, 2007.

¹¹¹ See, Matthias C. Kettemann, *The Conceptual Debate on Human Security and its Relevance for the Development of International Law* (Human Security Perspective, Volume 1, issue 3, 2006):44, discussing the dichotomy of state and human security.

As such, from this system of things we can talk of the: ``complementarities of securities``-- where each component benefits from the security of the other. And the different constituents of the state, when it comes to research, may constitute different research agendas; for one may focus on the security of government, territory and the other on the security of the population. Another researcher may concentrate on the convergence of a security threat or threats to affect all the constituent parts of the state as a whole.

Noteworthy, on the imperatives of human security as a way of thwarting turmoil, Bogdan Stefanachi explaining the normative utility of human security cites Weinert (2009) noting that human security can be a means to ensuring a strong stable state that can guard its sovereignty.¹¹² Although he does not sustain this idea further, it can be sustained that a strong state can also be a means to human security. The study builds on this proposition to argue that Human Security is central to the security of the state, and that the state/government is central to the providence of the things that guarantee human security. By way of reiteration this study empirically sustains the logic of the ``complementarities of securities`` using the case of Rwanda during its post-conflict situations.

Certainly even without engaging in further analysis of how human security concerns can undermine state security, the example of HIV/AIDS suffices. For instance the UNAIDS 2006 report precisely puts for us the extent to which HIV/AIDS undermines the military machine. It is said that by 2008, HIV/AIDS accounted for 60 percent of deaths in the military in the fourteen nations of Southern African Development Community. It observes that for every 10 deaths in the South African National Defence Force (SANDF), seven are a result of HIV/AIDS with 50 to 60 percent of the beds at the Nairobi's Kenya Armed Forces Memorial Hospital occupied by soldiers with HIV/AIDS related ailments.¹¹³ It is asserted that increased HIV/AIDS infection undermines the ability of the military to thwart external threats as the illness results into loss of skills and institutional memory among the experienced officers and men. This has a great bearing on

¹¹² Bogdan Stefanachi, *Human Security: A Normative Perspective, Meta: Research in Hermeneutics, phenomenology, and Practical Philosophy* (Vol. 111, No.2/December 2011: 404-430, ISSN 2067-3655, <http://www.metajournal.org> 2011): 417).

¹¹³ Quoted, in Sagala, *HIV/AIDS*, 2008.

performance and discipline.¹¹⁴ HIV/AIDS undermines the very focal point of traditional security; that is the military. As such the fight against the spread of HIV/AIDS becomes not only a matter of human security but also state security.¹¹⁵

Generally, in the context of political Africa, a cursory review of the conflictual areas underscores the extent to which human security has not only continued to undermine the security of the individual(s), but also that of the state in the traditional sense.

Annan Kofi explains that many African countries are faced with the challenge of forging a national identity, unity in diversity, out of several socially different communities. To him the prevention of conflicts that emanate from such conditions remain the promotion of human security and human development.¹¹⁶ The states, pejoratively reduced to ``regimes`` in Africa are generally threatened by internal security challenges like ethnicity, refugee phenomenon, and unemployed youths.

In Liberia, for example, the economic marginalization of the indigenous tribes by the Americo-Liberians made easy the mobilization of the people along ethnic lines to fight domination. The poverty that was undermining the wellbeing of the people was not attended to by the government. The government was undermined by corruption as politicians resorted to self-aggrandizement than meeting the basic needs of the people like education. Many people construed lack of access to education as a systematic move by the Americo-Liberians to entrench their hegemonic power.¹¹⁷

Also in Ivory Coast, despite Houphouet-Boigny's shrewd development policies, the regional inequalities in economic progress between the prosperous south and the underdeveloped North persisted. The fluctuations in the prices of Cocoa and Coffee in the

¹¹⁴ Steven Kusasira, *HIV Care and Prevention in Military Settings: Experience from Uganda*, Presentation to the Implementers Meeting Session 4th June 2008.

¹¹⁵ See, Martin Rupiya, ed., *The Enemy within: Southern African Militaries `Quarter-Century Battle with HIV/AIDS* (South Africa: Institute for Security Studies, 2006), for a thorough discussion of the impact of HIV/AIDS on the Military.

¹¹⁶ . Even Annan Kofi, in, *The Causes of Conflict and the Promotion of Durable Peace and Sustainable development in Africa* (Report of the UN Secretary-General, April 1998).

¹¹⁷The Advocates for Human Rights, *A House with Two Rooms: Final Report of the Truth and Reconciliation Commission of Liberia Diaspora Project* (Minnesota: DRI Press Saint Paul, 2009).

1980s, and the subsequent untimely death of Boigny who had tried to balance tribes in political positions, coupled with other underlying causes like the increased economic prosperity of immigrants from neighbouring countries like Ghana, Mali, and Burkina Faso; saw conflict in Ivory Coast-- a country that had hitherto been referred to as a success story in matters of development. Human security related issues like lack of access to jobs and lack of access to fertile land which had already been taken by the migrants made the indigenous people; more so the youth from the North discontented. When leadership was provided by the mutinying soldiers from the North, the stage for the conflict was clearly prepared.¹¹⁸

Further still, in Nigeria's oil rich state of the Niger Delta, the conflict has persisted because of a mix of factors, including the human security related concerns which made and continue to make the people motivated to join group violence in protest against the improvidence from the side of state's government. The failure by the Federal Government to reign on the corrupt politicians in the region who swindle resources meant for service provision; yet the country profiteers much from the oil resources from the region has seen a lot of insurgency in the Niger Delta region. Though the region has produced \$400 billion oil revenues for Nigeria since independence, according to 2011 data, the people are still marginalised: with only one secondary school for 14,679, with only 49% of the Delta population having access to safe drinking water, and with one child out of five dying before celebrating his/her fifth birthday. All these inadequacies have been blamed on the political leadership in the region that is corrupt and grossly ineffective and the recommendations have been generally a call for reforms in governance to alleviate corruption to streamline service delivery to the people as a way of alluring them away from group violence.¹¹⁹

¹¹⁸ Tom Ogbwang, *The Root Causes of the Conflict in Ivory Coast* (Backgrounder, No.5 April 2011, Africaportal, <http://www.africaportal.org/sites/default/files/Root%20of%20Ivorian%20conflict.pdf>) .

¹¹⁹ Cf., Chris Newson, *Conflict in the Niger Delta: More Than a Local Affair* (Special Report, United States Institute of Peace, http://www.usip.org/files/resources/conflict_Niger_Delta.pdf , June 2011), and Ibaba S Ibaba, *Alienation and Militancy in the Niger Delta: Hostage Taking and the Dilemma of the Nigerian State* (African Journal on Conflict Volume 8, Number 2, 2008, The African Centre for the Constructive Resolution of Disputes, ACCORD) http://www.accord.org.za/downloads/ajcr/ajcr_2008_2pdf), Jeremiah O. Arowosegbe, *Reflections on the Challenge of Reconstructing Post-Conflict States in West Africa: Insights from Claude Ake's Political Writings* (Nordiska Afrikainstitutet, Uppsala, 2011), Annalisa Zinn, *Theory Versus Reality: Civil War Onset and Avoidance in Nigeria Since 1960*, in, Paul Collier and

However, it is the conflicts in the Great Lakes Region¹²⁰ that present a larger picture of how human security related concerns can lead to periodic bouts of violence; part of the several schemes of causes that may include external actors.

First, in the Darfur region of the Sudan, needless to explain in detail the complexities of the conflict there; it suffices to mention that the conflict can be traced from the ``community-level split`` between the farmers and the nomads in the Darfur region. It is said that conflictual situations owe to the drought of the late 1970s that turned the nomads and farmers into competitors over the land they earlier amicably shared in usage during the dry seasons. This competitive existence of the nomads and the farmers widened the gulf between two communities. When the farmers, who are racially black, started an insurgency against the Khartoum Government; to quench the rebellion, the Government armed the nomads who were already physically and psychologically disoriented by the marginalisation they suffered when it came to land. They as a result, in the quest for security; formed the Janjawiid Militia.¹²¹

Indeed, to Mamdani, the issue of land was part of the factors that set stage for the conflict that some have named genocide. It has been asserted that addressing the conflict in Darfur requires not only power sharing at state level, but also instituting reforms to ensure equity in the distribution of land.¹²² What Mamdani does not mention is that in the wake of societal divisions over resources like land, the onus is always upon the responsible government to reign on the warring factions, and forge away forward as regards equitable utilisation of the resources. But when a government decides to arm one

Nicholas Sambanis, eds., *Understanding Civil-War: Evidence and Analysis* (Vol.1 Africa, The World Bank, 2005): 123-156.

¹²⁰ C.f., Mwesigwa Baregu, ed., *Understanding the Obstacles to Peace: Actors, Interests, and Strategies in Africa's Great Lakes Region* (Kampala: Fountain Publishers, 2011), 25-28, and Murindwa-Rutanga, *Politics, Religion and Power in the Great Lakes Region* (Kampala: Fountain Publishers, 2011), 8-18, for a thorough exposition on the nature of conflicts in the Great Lakes Region which comprises of Burundi, Rwanda, Kenya, Uganda, Sudan, South Sudan Tanzania, and Democratic Republic of Congo. Murindwa-Rutanga also delineates for us the origin of the concept ``Great Lakes``, that it was used by the colonialists to refer to East and Central African territory, a region endowed with several lakes and rivers.

¹²¹ Mahmood Mamdani, *The Politics of Naming Genocide, Civil War, Insurgency* (London Review of Books, Vol. 29 No.5, March 2007).

¹²² Mamdani, *The Politics of Naming Genocide*, 2007.

side against another, then, it becomes an abnegation of the legitimate responsibility of government; to act as an arbiter among conflicting societies within the state. This underscores the imperativeness of the state in streamlining resource utilisation as part of ensuring human securities. Failure of governments to surmount the security problems that may accrue from inequity in the distribution of scarce resources has seen several conflicts. As such, this study, using the microcosm of Rwanda, investigates how human security concerns shaped the structure of violence during the genocide and how post-conflict reconstruction efforts addressed themselves to surmounting the human insecurities which threatened a resurgence of violence.

Furthermore, in the newly independent state of the South Sudan, even before the ongoing conflict at the time of writing this thesis; it had long been asserted that although it had won its independence from Sudan Khartoum after along popular rebellion against the backdrop of the marginalisation, ironically the government in Juba had started grappling with bouts of tribal violence as a result of complaints against the political and economic marginalisation of the other 67 tribes by the Dinka tribe. Several tribes in the South-Sudan had contributed to the struggle¹²³ yet they had started complaining of land grabbing, denial of government job opportunities, tribal based military promotions, money laundering by the Dinka politicians and lack of fair political representation. Though external factors like the aggression from Khartoum Sudan may have served to aggravate ethnic tensions in the South, the alleged lack of commitment by the government of South Sudan to ensure equitable provision of the needs which guarantee human security like access to jobs and land, was acting as a rallying point for those who may have other ulterior-motives like having unfettered access to political power. However the general human insecurities felt by the people made them to fall prey to political mobilisation for group violence.¹²⁴

¹²³ See, Alfred Sebit Lokuji, *Beyond the North-South Dichotomy in Sudan: Issues, Actors, and Interests*, in, Mwesiga, *Understanding the Obstacles to Peace*, 2011, 170, for a detailed treatment of the actors in the struggle for the self-determination of South-Sudan.

¹²⁴ Name of Author is withheld for Security reasons, *The Root Causes of Conflicts in South Sudan: Dear Comrades and Friends* (South Sudan News Agency, South Sudan's Leading News Source, <http://www.southsudannewsagency.com/news/top-stories/theroot-causes-of-conflict-in-southsudan>).

The ongoing conflict obtains from such a scheme of things, and it has come with astronomical costs both in terms of human and infrastructural destruction. Detailed studies will be necessary to unravel the human security dimensions of that conflict.

In Kenya, even before the Post-election violence of 2008, the state was experiencing visitations of ethnic violence, though they never culminated into a civil-war. Among the causes that have been outlined is the land question, more so in the fertile Rift Valley Region. In the Rift Valley Region of Kenya ethnic groups: the Luo, Kisii, Luhya and the Kikuyu who had been displaced to create white settlements in central Kenya; were either attracted or driven away by the conditions in the ``settlement reserves`` to migrate and go to offer labor on the settlers farms in the so called ``White highlands``.¹²⁵

Conversely, the natives, the historical owners of the highlands: The Kalenjin, Maasai, Turkana, and Samburu (KAMATUSA) were outrageously pushed into overcrowded ``reserves``. Even after colonialism, policies which were aimed at streamlining the distribution of land proved iniquitous. It is noted, for example, that the ``million-acre settlement scheme`` which was designed to purchase land from the white settlers for distribution to the landless ended-up being ethnicised as the Kikuyu dominated government favoured the Kikuyu against other landless ethnic groups.¹²⁶

It is also said that the Kikuyu ascendancy to power after independence came with increased access to economic opportunities like government jobs. Formation of land purchasing cooperatives was easy for the Kikuyu than for any other ethnic group. Indeed, we are told that of the 160 land purchasing cooperatives, 120 comprised of the Kikuyu. It should be stated that though other issues (instructive of which is political competition that makes politicians to exploit ethnic allegiances) converged with the land question to lead to visitations of ethnic violence in the Rift-Valley Region of Kenya, historical iniquities in the distribution of land also served to motivate participation in

¹²⁵ Mwangi S. Kimenyi and Njuguna S. Ndung'u, *Sporadic Ethnic Violence: Why has Kenya Not Experienced a Full-Blown Civil War*, in Paul Collier and Nicholas Sambanis, eds., *Understanding Civil-War: Evidence and Analysis* (Vol.1 Africa, The World Bank, 2005): 123-156.

¹²⁶ *Ibid.*, 2005.

ethnic violence that has more often pitted the Kikuyu communities in Post-colonial Kenya against other groups.¹²⁷

In the Democratic Republic of Congo, the conflict continuous situation in the Eastern Kivu region has been blamed on a number of factors like the aggressive actions of the neighbouring countries: Rwanda and Uganda. However, what cannot be left-out in this complex situation is the refugee crisis in the Great Lakes region. The refugee crisis has led to conflictual situations as a result of the predicament of refugees like uncertainty about a permanent place of abode, food insecurity, poverty, diseases and lack of access to educational opportunities. These issues which are generally a reflection of the human security concerns make civilian refugees susceptible to manipulation by the political elites who mobilise them into group violence for political ends. The converge of human security with the human rights of the refugees; a pointer to the conceptualisation that the absence of the observance of human rights for refugees subsequently undermines their human security, has been examined.¹²⁸ What has not been examined is the way this convergence sometimes culminates into insecurity complexes for the state. Saul Takhashi alludes to the somewhat ``intersection`` between human rights, human security and state security, but being an edited book with several chapters giving a treatment to various contexts, a monographically sustained treatment of the intersection that would have allowed us a triangulated examination of the various levels of intersection is missing.¹²⁹ This study sustains empirically that system of things.

The Citizenship crisis in the Great Lakes Region as Mahmood Mamdani refers to it has seen the region into conflictual situations. It should be noted that the Banyarwanda refugees in Uganda, who fled Rwanda as a result of 1959 turmoil in Rwanda, played a central role in the struggle that brought Museveni of Uganda to political power in 1986. It has been said that their insecurity over the uncertainty of their residence in Uganda made them to join the struggle of 1986 with the hope that it will guarantee their residence. They

¹²⁷ Mwangi S. Kimenyi and Njuguna S. Ndung'u, *Sporadic Ethnic Violence*, 2005, 123-156.

¹²⁸ Alice Edwards and Carla Frestman, *Humanising Non-Citizens: The Convergence of Human Rights and Human Security*, Chapter 1, in, A. Edwards and C. Frestman, eds., *Human Security and Non-Citizens: Law, Policy, and International Human Security* (Cambridge University Press, 2010).

¹²⁹ See, Saul Takahashi, ed., *Human Rights, Human Security, and State Security: The intersection* (Praeger Security International, 2014).

are the same refugees that waged the war against the Hutu government in Rwanda which among other things was blamed for being hesitant to permit their return and guarantee their citizenship on return.

However, as clearly delineated in the introductory chapter, the end of the genocide in Rwanda saw a massive movement of political and civilian Hutu refugees to neighbouring countries, but most importantly into Eastern Congo (then Eastern Zaire). This refugee problem did not only see the civilian refugees grappling with a number of threats to their survival-their human security, it also threatened and indeed led to a resurgence of violence which was aimed at destabilising the new regime in Kigali. The Hutu refugee phenomenon depicted and continues to depict succinctly a somewhat convergence of human and state- security, contrary to the assertion that the two security areas are contradictory. The study delineates this scheme of things later, and the questions which this study grapples with rhyme well with the question that Jennifer Leaning and Sam Arie, ask, though they do make little attempt to explore deeply their question that:

How was it that peace could break out in Mozambique, a hotbed of insurgency and ideological confrontation, while in Rwanda, long viewed as a model of development, unmanageable violence lay so close beneath the surface of society?¹³⁰

Basing on the Rwandan experience delineated by this study it is argued that human insecurities made easy the mobilisation of the Hutu community by Hutu political demagogues for group violence. The study also sustains that post conflict reconstruction development in state-capacity was focused on addressing the human security related concerns which were part of the many other issues that shaped and shaken the genocidal violence in Rwanda and those which threatened a resurgence of violence more so the refugee phenomenon, but with serious implications in terms of human security and state security.

¹³⁰ Leaning and Arie, *Human Security: A Framework for Assessment in Conflict* 2000:1.

Accordingly, to Brian L. Job, the security challenges to the typical state in Africa are largely from within. He terms this situation as the: `` insecurity dilemma complex`` as opposed to the security dilemma—where the threat to the state is external. He explains that the insecurity dilemma complex in most African countries is a result of ethnicised politics; where the struggle for power becomes a tribal issue. He reasons that the government in power becomes a representation of the interests of a certain ethnic group: thus absence of national cohesion, as people are divided along ethnic lines. That in such a system of things, the regimes in power are preoccupied by survival, and they manipulate ethnicity to suit their schemes for political survival. This is in contrast to the external threats that haunt the life of a developed nation-state precisely put as the “Security Dilemma”. He adds that those that are disfavoured perceive the state/regime as illegitimate.¹³¹

Job’s analysis points to the nexus between conflict and the improvidence of human needs. From his contention it emerges that with improvidence of the human needs for survival, which human needs define the human security of the people, coupled with political expediency: conflicts are bound to happen as a way of contesting the powers that be. This means that a focus on the provision of human needs like employment for the youth, which is important for their human security can also be of great benefit to the state/regime or national security for it serves to thwart conflictual situations or at least put them at bay. However, Brian Job does not explain instances where *Insecurity dilemma complexes* may converge with *Security dilemma complexes* to structure violence during a conflict and how sometimes insecurity dilemma complexes can serve to create *Security dilemma complexes* or aggravate them.

It should be understood that this study does not argue with finality that the nature of violence in conflicts in Africa can only be blamed on only human insecurities. It is limitations of this study that though it finds it important to show how several causes convergence to cause violence during a conflict and a resurgence of violence after a conflict, it finds it a rather broad research agenda to pursue. There are indeed several

¹³¹ See, Job, ed., in, *The Insecurity Dilemma*, 1990.

issues that formed and form the mix of things that have continuously seen these violent conflicts; they cannot be explored in a single research agenda. The proposition of this study is that human security related issues, which are generally obtain from basic human needs, as illustrated in the preceding narratives, are exploited by political demagogues to hoodwink people into joining group violence.

Accordingly, the under- provision of both state and human securities has translated into instability in different states particularly Sub-Saharan Africa as delineated in some of the preceding paragraphs of this chapter. This points to the imperativeness of dual-referents in the context of security; not only for the global south as it has been variously suggested, but for the whole of political earth as the chaos, reported in recent years, in the economically beleaguered parts of Western Europe served to illustrate; that group violence as a result of stress from poverty is not a matter unique only to the global south. The calamities of human security concerns are no respecter of race or hemisphere.

As such, the structure of violence in many countries of the so called ``Third World``, majority of which are in sub-Saharan Africa, cannot be understood using only the analytical framework of the traditional conceptualisation of security which focuses on external security challenges. The predicament of the people, grappling with among others: economic security, food security, and political segregation, precisely put as human security challenges, can determine the structure of violence during conflict and the threat of a resurgence of violence after a conflict. These internal human security challenges, this study contends, can also converge with external threats to undermine not only the security of the individuals but also that of the state. This scheme of things connote that there is a need for a more comprehensive way of comprehending the nature of conflicts and the security of the majority of the countries in sub-Saharan Africa.

It is in the quest for a comprehensive approach to understanding conflict and security in Africa that in 1990, Sunday Abogonye, way before the United Nations Development came up with the initial official exposition of the Human Security approach to security, recommended thus:

...in order to provide an integrated African Security assessment, the non-military dimensions of security should be added. Henceforth, African Security as a concept should be applied in the broadest sense to include economic security, social security, environment security, food security, the quality of life security and technological security.¹³²

In that quotation, Sunday Abogonye alludes to issues which later came to be at the centre of the human security agenda. Abogonye's analysis negates the thinking that 'Human Security' and the issues which it entails are a Euro-Atlantic imposition onto the 'other world'. Granted is the fact the internationalisation of the concept has generally been the business of the Western World and particularly the Western Hemisphere; Canada. Its content however cannot be reduced to the hackneyed rhetoric that it is a somewhat forcible imposition of western norms onto other lands. This is because the analysis of security from the angle of what affects people has been part of the body-security discourse even in Sub-Saharan Africa. There is nothing imperialistic about the conceptual origins of the notion of human security; probably the operationalisation of the concept can be insufficiently reduced to that perception-interpretive level given the fact that the discussion of the concept have always merged with the notion of the Responsibility to Protect. Human security discourse is part of the body-security academic discourse and public policy security practice in much of Africa.

Indeed, Peter Uvin, in his inquiry about the meaning of peace to majority of the youthful Burundians; empirically found out that their voices converged at a somewhat Human Security zone. They highlighted that absence of war may not yield peace; more so if there is poverty, food insecurity, physical insecurity from crime, restriction in movement, and lack of access to basic needs like water, education, among others. Majority of his respondents looked at peace in terms of positive peace/development, and their perception of development rhymes with the elements of human security.¹³³

¹³² Sunday Abogonye Ochoche, "The Military and National Security in Africa", in E. Hutchful and A. Bathily, eds., *The Military and Militarism in Africa*, (Dakar, Senegal: CODESRIA, 1998):111.

¹³³ Peter Uvin, *Human Security in Burundi: The View from below (by youth)*; African Security Review 16.2 (Institute of Security Studies, 2007).

Accordingly, from the experience, that is Rwanda during post-conflict reconstruction period, it is argued that human security concerns have been and are part of the determinants of the structure of violence in most of the conflicts in sub-Saharan Africa, and that because of the weaknesses of the state/government to provide the human needs that are central to human security, conflicts are bound to continue. The next chapter will trace how human security concerns structured violence in Rwanda across its major historical moments, that is: pre-colonial, colonial, post-colonial and pre-genocide. The chapter will aim underscoring the imperativeness of focusing on human security concerns as a way of thwarting turmoil.

It is in Sub-Saharan Africa that the imperativeness of broadening the security agenda to include non military threats becomes a matter of academic and policy shrewdness. Indeed, ignoring human security concerns is and has been a recipe for conflict in many an African state. Robert D Kaplan, particularly sharply, summarises for us how despite the upbeat that followed the end of the cold war, the world was destined to witness several cataclysms. The cataclysms were to be as a result of neglected human concerns like diseases, overpopulation, refugee migrations, young bulge, the increasing erosion of nation-states and international borders, and the empowerment of private armies, security firms and international drug cartels.

He for example narrates how neglected youthful slum dwellers ended up joining the ranks of coup plotting leaders like Solomon Anthony Joseph Musa in Sierra Leone. Kaplan also notes how the whole of West Africa was going to witness visitations of violence as a result of increased population in urban areas that are little planned to cater for such densities. He writes from the point view of West Africa but extrapolations of his thoughts can be made in the context of the whole of Sub-Saharan Africa. His warning was that the ``Last Map`` of the world will be a complex representation of chaos.¹³⁴

¹³⁴ Robert D Kaplan, *The Coming Anarchy: How Scarcity, Crime, Overpopulation, tribalism, and disease are rapidly destroying the social fabric of our planet* (The Atlantic, Feb 1994, 12:00pm ET; <http://www.theatlantic.com/magazine/archive/1994/02/thecoming-anarchy/304670/8/>).

The logic of Kaplan's thoughts was given credence when his article was circulated to all Embassies of the United States of America as an instrument to guide their operations in most of part of Africa, and indeed with little or no doubt, Kaplan's world has come to pass. His prophetic insight generally obtained from how neglected human insecurities were going to undermine peace. Human insecurities per say may not directly cause conflict, but rather they may serve as catalysts for group mobilisation for political action more so by political demagogues interested in political objectives like capturing political power. This study investigates generally how human insecurities served as mobilisation gimmicks for political demagogues that championed the genocide in Rwanda, and particularly how they threatened and indeed led to a resurgence of violence. The focus issue area in the context of Rwanda and in the context of this study is: ``refugee migrations``.

The Carnegie Corporation report on Deadly Conflicts note that the failure to mend difference within states, and the discrimination of one group against another, coupled with improvidence of basic resources like water and land among other causes have seen turmoil. Improvidence of basic needs on the side of government makes easy the mobilization of people by ``political demagogues``, as they exploit the ``long standing grievances`` to recruit people within their ranks to organize an insurrection.¹³⁵ Denial of either economic opportunities like access to government jobs in the public service and political jobs in the political echelons, or lack of equal opportunities: to land and education that sometimes guarantee future economic prosperity has more often led to conflict.

Accordingly, basing on the case of Rwanda during its post-conflict reconstruction delineated by this study, it is sustained that Human security can be of great utility in explaining the structure of group violence in ethnic conflicts as it aids mobilization. And if human insecurity aids mobilization for violence, then, attempts to post-conflict reconstruction process have to ensure that the human insecurities that made and make mobilization for group violence easy are addressed urgently by the actors involved.

¹³⁵ Carnegie Corporation of New York, *Preventing Deadly Conflict* (Final Report with Executive Summary, 1997).

So, the finding of this study bring to bear the contention that unmet human security concerns make people literally susceptible to political manipulation to join violent schemes. Therefore in the discussion of the relationship between human security, conflict and development, the study argues that unmet human security concerns make mobilisation of the people into group violence easy, thus conflict continuous situations, more so where governments do not cater for the human needs of the people. The study empirically sustains these rather hypothetical assertions using the experience of Rwanda during its post-conflict reconstruction phase.

So, the utility of human security at the level of theory and practice lies in the fact that those who are interested in security discourse are invited to pay attention to the insecurities that may be neglected, but of grave concern in their effects on the people¹³⁶ and even the state. The inclusion of several issue areas makes the security discourse more comprehensive to capture all issue areas that undermine peace and theorisation and practice can always obtain from what needs urgent attention.

It should be emphasised that those who dismiss the logic of human security as being so much preoccupied with the individual as the referent object of security, and those who dismiss traditional state-centric security as being so much pre-occupied with the state as the referent object of security from external threats all seem not to factor in the logic of national security as both an internal and foreign policy issue¹³⁷. Samuel P. Huntington explains that national security exists in three forms and at two levels. The three forms are; military security policy—aimed at undermining external and internal threats to the peace

¹³⁶ Owen, *What is 'Human Security'?* 2004:385.

¹³⁷ Booth, *Security and emancipation* 1991: 320; criticism of the traditional conceptualisation of security, seems to adopt a international angle, that in matters of international politics, the referent object if security, in case of defence from external aggression, should not be the state, but rather the people; for sometimes states/regimes are threat to the security of their own people, and that some states are socially in existence; on juridical, that states are producers of security and therefore cannot be seen as a means and an end when it comes to security; and that states are too diverse in their nature and character to serve as a basis a comprehensive theory of security for sometimes even theories of state craft are contested in their utility in explaining the behaviour of states. He seems to pointing the issue of lifting the veil of sovereignty when it comes to governments that act as a source of insecurity to their people. His discourse seems to be in tandem with the Canadian conceptualisation of human security that looks at it as a matter of foreign policy part of the humanitarian interventions of the external into what is internal to the state in question.

of a given country using force, internal security policy; aimed at dealing with forces and activities within states that undermine its peace, and situational security policy; with a focus on threats that accrue to strenuous changes in socio, economic and political spheres of a state.¹³⁸

Indeed, Barry Buzan's thinking about the notion of national security seem to rhyme with the thinking of Huntington. He notes that an appropriate security policy of a state, though hard to fathom, entail an international security strategy to thwart threats from outside, and the national security strategy to grapple with the internal weaknesses of the state that undermine its security.¹³⁹ This suggests that the level of analysis can either be at the International or national level depending on the issue at stake.

Ullman who writes in the same year (1983) like Barry Buzan also contends that a conceptualisation of national security that limits itself to military threats and solutions is ``doubly misleading and therefore doubly dangerous``. This is because the array of threats to the national security of the country can range from: `external wars to internal rebellions, from blockades and boycotts to raw materials shortages and devastating ``natural`` disasters such as decimating epidemics, catastrophic floods, or massive and pervasive droughts`. ¹⁴⁰ To Ullman, the ability to cause ``death and physical destruction`` are a manifestation of any issue which passes for a threat, and this is not limited to only military issues.¹⁴¹ However, what undermines the recognition of other threats as real and catastrophic in their manifestations is that their consequences are gradual and not apparent in comparison to the military threats whose consequences are vivid.¹⁴²

So, from the foregoing it can be tentatively inferred that the security policy of a state, as part of its public policy framework need to be comprehensive enough to cover all issue

¹³⁸ Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-military Relations* (Cambridge, The Belknap Press of Harvard University, 1957).

¹³⁹ Barry Buzan, *People, States and Fear: The National Security Problem in International Relations*, (Wheatsheaf Books, 1983).

¹⁴⁰ Richard H. Ullman, *Redefining Security*, (International Security, Vol. 8, No.1, summer, 1983): 129-153(133).

¹⁴¹ *Ibid*, 1983.

¹⁴² *Ibid*, 1983:135.

areas that undermine the peace of the state be it from social, economic or political threats. Policy prioritisation of a threat can always depend on its magnitude, in comparison to other real and imagined threats. The study obtains from this logic in its examination of the post-conflict reconstruction experience of Rwanda within the conceptual framework provided by Human Security and State Security.

It however goes without saying that the debate between human security—postulating the individual as the referent object of security, and the state centric—postulating the state as the referent object of security, is oblivious of the conceptual nature of the state. From the traditional conceptualisation of security it emerges out clearly that the state is limited to the territory of the country. The advocates of the individual as the referent object of security criticise the traditional conceptualisation of security for limiting the meaning of the state to government, sometimes put differently as regime security.¹⁴³ Barry Buzan whom Booth writes of as the most thorough security theorist of our times treats the state, sometimes as a composite of several elements, which he calls the essential meaning of the state, with an independent territory, politically organised with a government separate from society. However, at other times he defines it in terms of government with an obligation to protect its citizens; as it is in his treatment of security against terror threats.¹⁴⁴

Rugumamu, one of the most published African political scholars, treats the state in terms of government; noting that the cardinal role of a state is to provide peace and security for the citizenry from both internal and external threats.¹⁴⁵ Rugumamu's definition rhymes well with Waltz definition. Waltz defines the state in terms of its functionality; that it is charged with the duty of making and enforcing laws, defending the state from external aggression, ensuring that the population has access to food, clothing, housing, transport

¹⁴³ In his criticism of the postulation of the state as the referent object of security, Ken Booth notes that state-security directed to regimes of Hitler, Stalin and Saddam Hussein among the referent objects of security is inconceivable. This seems to suggest that his treatment of the state as government in itself, a matter not empirically wrong but conceptually problematic.

¹⁴⁴ Cf., Barry Buzan, 'Security, the state, the 'New World Order' and Beyond', in Ronnie D Lipschutzied, *On Security* (New York, Columbia University Press, 1998): 143-144, and Barry Buzan, 'The 'War on Terrorism' as the New 'Macro-Securitisation'? ' (Oslo Workshop, Oslo, 2006): (20), 1-25.

¹⁴⁵ Rugumamu, Severine Mushambampale, *Post-Cold War Peace and Security: Prospects in Southern Africa* (SAPES Occasional Paper Series No.5, Harare, 1993).

and other basic necessities of life. Waltz's definition limits the state to the level of government.¹⁴⁶

So, any analysis of security has to precisely delimit the meaning of the concept state in a simple measure if it is to handle the intricacies of the debate on the referent object for security. We are told that sometimes each component of the state can constitute a somewhat security concern but each interdependent on the security of the other.¹⁴⁷ If the state is treated as if it were limited to its functional capacity; the government—the functioning arm of the state, then, state security becomes the security of the government or regime security, and this absolves those who argue that sometimes governments threaten the security of the people they are supposed to protect. In the context of this study the focus is on government. Government (s) has/have a role to play in thwarting a resurgence of violence in the post-conflict reconstruction phase. This can be done through designing of appropriate development policies.

In addition to the above, Pauline Kerr acknowledges that human security has an international relations strand, which pitted it against traditional conceptualisation of security, and the development perspective which looks at human security as a perspective that relates issues of human development like poverty and inequality in resource distribution to conflict.¹⁴⁸ It is argued that conflicts within states can be explained by economic unfairness and social poverty, which lead to social discontent and stress which culminate into insecurity. It is also emphasised that states have to take matters of underdevelopment to be of ``moral and practical imperatives for all humans and states`` for they can serve to exacerbate internal and external insecurities.¹⁴⁹ The study obtains from the logic of Pauline Kerr's development perspective of human security to argue that human security can only structure a conflict if it is used to mobilise the people into group

¹⁴⁶ Kenneth N. Waltz, *Theory of International Politics*, (Addison-Wesley Publishing Company, Reading Massachusetts, 1979), 126.

¹⁴⁷ Buzan, *People, States and Fear*, 1983, 198.

¹⁴⁸ Kerr, *The evolving dialectic between State-Centric and human Security*, 2003, 11.

¹⁴⁹ Ullman, *Redefining Security*, 1983, 142, also contends that in countries with religious and ethnic divisions in the citizenry if they are faced with a dearth of resources, then groups are the lower ladder of society may conclude that they are being marginalised in favour of other groups.

violence; for there are instances where low human security does not translate into manifestations of conflict.

As such, it is advanced by this study that the issues that make group mobilisation for violence highly probable partly accrue from distortions in development. Where the government through development fails to settle issues of social equity when it comes to provision of what people think are the central needs for survival, conflict is probable. This means that an attempt to development after a conflict that manifested itself through group violence has to address the ``the incentives for group mobilisation``, if resurgence of violence is to be addressed. What should not escape mention is that Leaning and Arie use of the logic of the human needs theory in their justification of the use of human security as a bridging concept between development, conflict and security. This resonates with the caution of Edward Newman that human security is not a theory but rather a concept that is supported by theories of social sciences;¹⁵⁰ of which the Human needs theory to study of conflicts is instructive.

This means that whereas human security may be dismissed as a normative concept which cannot ably guide intellectual inquiry, the fact that it finds support in long tested social science theories of conflict, namely: human needs theory, then, it can be adopted as an analytical framework in the study of development in post-conflict reconstruction with attention aimed at grappling with the question of how to thwart the threat of a resurgence of violence during post-conflict situations.

Whereas the human security International Relations/Security perspective dismisses the State as the object and provider of security, those who perceive human security in terms of development acknowledge that despite the importance of non-state actors in matters of development, capable states are central to streamlining matters of development; directing it to addressing non-traditional security challenges of which poverty is instructive. It is

¹⁵⁰ Edward Newman, *Human Security and Constructivism, International Studies Perspective* (International Studies Association, Published by Blackwell Publishers, 350 Main Street, Malden, MA 02148; USA, and 108 Cowley Road, Oxford ox4 ISF, UK, 2001):239-251.

for that very reason that Naidoo points out that the thorough understanding of human security in the context of Africa should contemplate about the nexus between human security and human development.¹⁵¹

Human development requires that development focuses on the provision of human needs, and this study extends that where human needs are not provided, the survival of the people, their human security becomes threatened. It also extends that their fear can easily be manipulated by political demagogues to mobilise them into group violence; thus the relationship between, conflict, development and security. Indeed, from the lenses of Japan's conceptualisation of human security, human security emerges as a concept that can assist in the aligning of development to conflict prevention efforts. According to Amitav Acharya, the Japanese conceptualisation of human security is more inclined to the "freedom from want" variant of the UNDP's conceptualisation of human security which is also the "more favoured in Asia" as opposed to the "freedom from fear" variant that finds support from the countries lying within the western hemisphere. To Amitav, "freedom from fear" is the political aspect of human security, whereas "freedom from want" is the development and economic aspect of human security. Though he argues that the two complement each other than contradict¹⁵²; for the analytical depth's sake, the study obtains from both the political and economic variant of human security for "want" can be manipulated by the power elite to mobilise masses to join violent political schemes in the quest for power or in the quest of political preservation as a result of an imminent relegation to want in the face of loss of political power. This study empirically proves this scheme of things through the review of the causes of the genocide in Rwanda, arguing that human security concerns were part of the structure of violence during the conflict that even the resurgence of violence during the post-conflict phase of Rwanda obtained from human security related concerns.

It should be emphasised that what stands out clearly as the major rejection of the usage of the human security concept at international policy level is the argument that bringing-in

¹⁵¹ Sagaren Naidoo, *A Theoretical Conceptualisation of Human Security*, Institute for Global Dialogue Johannesburg, www.issafrica.org/pubs/books/unesco/naidoo.pdf, 2007, 7-8.

¹⁵² Acharya, *Human Security: East versus West?* 2001.

Human Security issues into the International Security framework that is dominated by narratives in support of the state as the referent object of security will subsequently undermine the notion of the sovereign state on which the international security framework hinges. Indeed, it is the international securitisation of the concept of human security-- pushing it to the extremes of supplanting the notion of sovereignty and territorial integrity; that has generated a considerable furore in international policy circles. It should be noted that the internationalisation of human security obtains from the Canadian conceptualisation of Human Security which gives the promotion of human security a more radical international political dimensions; with emphasis on ``lifting the veil of sovereignty`` to ensure promotion and observance of human security concerns.

Jennifer Leaning and Sam Aire contend that Canada's promotion of preventive diplomacy depicted through her unwavering support for The Ottawa Convention on Anti-Personnel Landmines(1997), and the Rome Treaty for the creation of the International Criminal Court (1998), coupled with its commitment to International Humanitarian Interventions as seen in its leadership over several United Nations interventions in conflict situations; speaks volumes about the extent to which Canada strived to shift the referent object of security from the state to the human being.¹⁵³ Canada's approach to human security is/was political, sanctifying international intervention in the face of internal conflict to overcome the ``human costs of violent conflicts``. It is for this reason that the Human Security Partnership, championed by Norway and Canada, had nine points on its agenda: a focus on elimination of land mines, institution of the International Criminal Court, a focus on defence of human rights, observance and enforcement of international humanitarian law, protection of women and children in the wake of armed conflict, curtailing the proliferation of small arms, overcoming child-soldiering and child

¹⁵³ See Barbara Von Tigerstrom, *Human Security and International Law: Prospects and Problems*, Oxford and Portland: Hart Publishing, 2007, Sverre Lodgaard, *Human Security: Concept and Operationalisation*, 2007 and Je Leaning and Arie, *Human Security: A Framework for Assessment in Conflict and Transition Tool Kit*, 2000; Axworthy, Lloyd, ``A New Scientific and Policy Lens`` (Security Dialogue, Volume 35, Number 3, 2004):348-349,348; Edward Newman, ``A Normatively Attractive but Analytically Weak Concept`` (Security Dialogue, Volume 35, Number 3 2004): 358-359.

labour, and the furtherance of the Northern (arctic co-operation) in matters of addressing human insecurities predominant in the global south.¹⁵⁴

To Canada Human Security entails preventive measures to reduce vulnerability and minimise risk and taking remedial action where prevention fails.¹⁵⁵ Canada's juxtaposition of human security with the notion of humanitarian intervention, which is generally a matter of foreign policy, and its suggestion that prevention and corrective actions can be taken to ensure observance of human security concerns is problematic. It is problematic to the extent to which it mixes human security with the jealously guarded notion of territorial integrity, a matter that has brought, and continues to bring unceasing attack to human security, both at academic and policy levels, yet it would be an appropriate parameter of comprehending the convergence of internal and external security challenges that have seen visitations of civil wars in many countries.

The debate concerning the Canadian approach to human security obtains from the logic of the questions; how conflict undermines human security, and the measures to reduce the negative impact of conflict on human security. What is not discussed is how neglect of human security needs of the people ``freedom from want`` can explain the structure of violence in a conflict. That human security is not only problematic in the course of a conflict, but also before the conflict and that sometimes it is part of the issues that form the ``tipping point`` for the outbreak of violence. This point to two research agendas: one looking at human security issues as part of the issues which structure violence during the conflict, and another looking at human insecurity as a corollary of a conflict. This study chooses as its research agenda to focus on how human insecurities mixed with other factors to determine the structure of violence during the genocide, how they continued to threaten a resurgence of violence, and how development in state-capacity in Rwanda

¹⁵⁴ C.f., Acharya, *Human Security: East versus West?* 2001, 4, citing ``Canada, Norway change their ways: New approach bases foreign policy on human issues`` (The Ottawa Citizen, 28 May 1998):A18 and Kanti Bajpai, *Human Security: Concept and Measurement* (Kroc Institute Occasional Paper #19:OP:1,) August 2000, 18.

¹⁵⁵ Government of Canada, *Human Security: Safety for People in a Changing World*, Ottawa: Department of Foreign Affairs and Trade, 1999.

post-conflict reconstruction served to address the human insecurities which threatened a resurgence of violence and those that emerged as effects of the genocide. The study also examines how human insecurity as a corollary of conflict can undermine both the security of the individuals and that of the state.

To further problematise Canada's conceptualisation of human security, at this point, this study notes that Canada's dismissal of underdevelopment as a threat to human security as presented by the UNDP report of 1994 in favour of threats to human security that emanate from conflict outbreak is to say the least of it lopsided in its understanding of the nature of conflict. Underdevelopment is part of the scheme of things that undermine human security, and it has seen conflictual situations in many developing countries. Poverty as Amitav Acharya exemplifies in the context of Indonesia can determine the structure of violence during conflict.¹⁵⁶

Also, Canada's dismissal of the role of the state in favour of international actors is also intellectually and practically suspect. Granted is the way some states threaten the human security of the citizens as they unleash physical violence onto the citizens by using state agencies like the military and police, but what cannot be dismissed in absolute terms is the state's pivotal role in matters of human security provision. Indeed, we are told that whenever human security concerns have been presented without balancing them with the presumed sanctity of the state in matters of politics, the concerns have faced dismissals from theorists and practitioners. To this study such a scheme of things requires a middle-range position to allow the implementation and further theorisation on human security as an academic and policy concept. Dismissals and counter-dismissals in the debate which surrounds human security are to say the least of it a move towards conceptual density as far as the development of the human security concept is concerned. All concepts both in practice and theory have faced a measure of contest, for they are not natural laws of social inquiry, but just ways of looking at our world and comprehending our world is always a subject to debate. So, contesting a concept should not be construed as a way of

¹⁵⁶ See Acharya, *Human Security*, 2001, 7.

suggesting that it should be relegated to a somewhat waste- paper- basket, but rather a call for more empirical inquiry for an in depth understanding.

From the debate surrounding human security and the state-centric approaches to security, one fundamental question should be asked: Do the two security agendas serve to contradict each other? And if security is socially constructed¹⁵⁷; that a society at a particular historical moment determines what security means to it and at times revises its meaning of what security constitutes, then, we have to ask and answer: Do the issues raised by human security constitute a threat to our security and that of our world? Do the threats suggested by the state centric conceptualisation of security continue to threaten our security and that of our world? The answer might not lie in too much semantic-philosophical-cum- theoretical debates about our world, but rather in empiricism for a relegation of matters of societal importance like security to the sometimes hackneyed semantical philosophical debates, though important to the philosophical academia, it is far farfetched when it comes to availing practical solutions to the practical problems affecting us and our world, and the academia ought to take practical interest, pursuing practical solutions to the practical public policy challenges of the practical world.

Bringing-in empiricism to give topicality to sometimes rather hypothetical philosophical debates is central to focusing scientific inquiry to addressing the problems of our political, social and economic earth. As such, this study, using the case of Rwanda investigates how human insecurities defined the structure of violence during the genocide. The study advances that human security concerns acted as rallying points for the majority Hutu against the majority Tutsi and that the political elites manipulated the ``fears and wants`` of the masses to hoodwink them into joining the scheme of violence. The study further advances that human security and state security concerns converged along the continuum of the causes of violence to lead to a resurgence of violence during the post-conflict reconstruction phase of Rwanda.

¹⁵⁷ See, Tigerstrom, *Human Security and International Law*, 2007.

Indeed we are told from the securitisation perspective of Ole Waever; that an issue is constructed into a threat to security by the elites—those at the helm of the government of the state, and that once the audience countenances the nature of the threat, then, it becomes an accepted security problem. This process is what is referred to as securitisation.¹⁵⁸ So, this study examines how human security concerns were elevated to propagandist levels by the authorities in Rwanda, using them as gimmicks in the mobilisation of the majority Hutu to execute mass violence against the Tutsi, and later preside over a resurgence of violence that pervaded the whole of the post-conflict reconstruction phase of Rwanda (1994-2005).

Lodgaard outlines clearly how the securitisation and desecuritisation of human security is evident at the state and international level through ``speech acts``. Indeed, at the international level, he uses an analogy of the Security Council issuing a resolution addressing itself to crimes being committed against humanity, and that at the state level-domestic level, the moment political leaders start referring to the problem in terms of security, then, it ceases to be a mere challenge but a threat which has to be addressed with a lot of urgency.¹⁵⁹

From Lodgaard's reasoning,, security issues are decreed by political practice, and as such epistemological academic debates on: what security is and how it is possible; just avails us with frameworks in which to coherently place and explain political actions. The impulsivity with which political actions are sometimes taken means that solutions are sometimes sought after as a matter of expediency, and this only relegates competent scholarship to doing a somewhat intellectual ``post-mortem`` in its analysis. Avoiding this kind of logical trap requires a continuous juxtaposition of epistemological and ontological inquiries respectively; by bringing-in analytical questions of this nature: what security is and how possible it is, to bear with questions of: what kind of security concerns do exist?

¹⁵⁸ Ole Waever, ``Securitisation and Desecuritization`` On Security, ed., Ronnie Lipschutz (New York, Columbia University Press, 1998), 6.

¹⁵⁹ See, Lodgaard, *Human Security: Concept and Operationalisation*, 2007.

Also, the question of how to measure human security has also generated a considerable debate when it comes to the analytical utility of the concept. It is suggested that the array of issue areas—various threats to security that human security entails cannot allow systematic inquiry on security. However, a move towards appropriation of measurement techniques of human security is luminous in a number of research initiatives. Pauline Kerr notes how Andrew Mark and his team, as a result of incidence mapping, concentrated on Political and criminal violence as units of analysis in their Human Security Report.

It is also noted that the Commission of Human Security, aware of the broadness of the concept, to make it less problematic for research and policy action, they had to organise it into interrelated clusters: conflict and human security, and development and human security.¹⁶⁰ This reflects Edward Newman's recommendation that meaningful academic and policy discourse on human security should be structured into different research agendas; with a focus on expounding on its applicability in policy circles, its explanatory and analytical utility in security academic discourse focusing on different situations particularly to explain among others: the relationship between: ``socioeconomic inequality, divided societies and civil conflict/violence``, ``AIDS, Underdevelopment, and violent conflict``, ``International economic fluctuations, domestic economic disruptions, social dislocation and violent conflict``, ``international commodity markets and civil war``, ``transnational drug markets, corruption in government and poverty``, ``literacy rates and birth rates`` , ``women's/girls education and development``.¹⁶¹

What reflects particularly about the narratives about Africa in relation to the question of measurement of human security is what Jennifer Leaning, and Sam Arie note that human security can be measured basing on the existing threats to human security which they call: ``Negative indices`` or ``inverse of security``, epitomised in the absence of the basic necessities of life like food, water and shelter, and the protection from life threatening threats like diseases, economic challenges like unemployment, coupled with

¹⁶⁰ Kerr, *The evolving Security Dialectic between State-centric and human security*, 2003.

¹⁶¹ Newman, *Human Security and Constructivism*, 2001, 249-250.

absence of psychosocial needs like denial of identity, denial of citizenship as the case might be with refugee returnees, lack of recognition like in the allocation of government jobs, denial of participation for example in national activities like elections, and denial of autonomy as it might be with groups of people within states yearning for either self-rule or a somewhat autonomy of a federal character.¹⁶²

What Leaning and Arie suggest as the ``negative indices`` of human security resonate with what Ginkel and Newman outline as the underlying causes of human insecurity: inequality, deprivation, social exclusion, denial of access to political power which culminate into collapse of the social values which makes violence and conflict probable as a result of ``deprived hope``. Thwarting threats of that nature requires a development that is conscious of the societal differences. This calls for the necessity of focusing research on the applicability of human security issues in pre-conflict and post-conflict reconstruction processes.¹⁶³ This study should be seen as an attempt to extend to post-conflict reconstruction situations, in empirical terms though, what Jennifer Leaning and Ginkel postulate. The study contends that the improvidence on the side of the state/governments to provide coping mechanism for the people to reduce on their vulnerability to life threatening inadequacies can undermine their security and the subsequently the security of the state. The study also postulates that during post-conflict reconstruction human security and state security concerns converge to threaten a resurgence of violence.

However, the study carries forward the argument that the magnitude of threats differ at different periods, and that one threat may be of greater magnitude than the other thus requiring urgent attention. Policy choices are circumstantial, and security issues change—new ones emerge demanding new policy approaches. We can only understand how to analyse emerging policy issues, but not coming up with a somewhat *one size fits all* policy recommendations. We are told that Barry Buzan left the issue of security policy

¹⁶² Leaning and Arie, *Human Security: A Framework for Assessment in Conflict and Transition*, 2000.

¹⁶³ Lodgaard, *Human Security: Concept and Operationalisation*, quoting Van Ginkel and Edward Newman, 'In Quest of ``Human Security``' (Japan Review of International Affairs, vol.14, No.1, spring 2000).

recommendations to posterity.¹⁶⁴ This means that avenues to explore other security analytical frameworks beyond the *already beaten path* should be viewed positively for it adds on the array of the metaphysical lenses through which our political earth can be better comprehended, and the applicability of different frameworks should be left to circumstance and convenience for none of us has finality in determining and later on influencing daily happenings.

So, it can always be established that a particular threat requires more attention, ``merit urgency`` of the ``security label``¹⁶⁵, though other threats might be luminous. Human security and the array of threats it entails makes it easier to discern the issue areas for systematic action when it comes to the security of individuals. This study hypothesise that development efforts, instructively efforts to build state capacity ought to focus on human security issues because if neglected, they can undermine the security of the state, leading to conflict and a resurgence of violence during post-conflict reconstruction. This is highly probable where human security concerns were part parcel of the issues that determined the structure of violence, and those which threaten a resurgence of violence. The study, using the case of Rwanda empirically sustains this hypothesis.

Further, an argument is substantiated to the effect that the broadness of human security never meant making each and every human security issue a high priority issue but rather a presentation of a deeper understanding of the complex probable threats that undermine the wellbeing of the individual. And that the selection of what threat to focus on in policy implementation should entail not all threats but rather those that undermine the life of the population: ``drastically and quickly``¹⁶⁶.

Accordingly, a narrow focus on some of the elements of human security, basing on the level of incidence and harshness of the threats which are according to the Commission of Human Security of 2002 are : ``critical and pervasive``, is of great comprehensive

¹⁶⁴ Marrienne Stone, *Security According to Buzan: A Comprehensive Security Analysis* (Security Discussion Papers Series 1, Spring/09).

¹⁶⁵ Baldwin, *The concept security*, 1997, 20, quoting Barry Buzan's *People, States and Fear*, 1983.

¹⁶⁶ *Ibid*, 1997, quoting Ullman, ``Redefining Security``, 133.

analytical value in understanding how it undermines the security of the individual.¹⁶⁷ This study, through review of documented evidence about Rwanda, and field based inquiry about Rwanda unravels the human security concerns that define (d) the structure of violence during the genocide in Rwanda, those that threaten a resurgence of violence during post-conflict reconstruction, and how the development in state capacity during post-conflict reconstruction thwarted the resurgence of violence in Rwanda and its human security related concerns.

¹⁶⁷ Taylor Owen, What is ``Human Security``? 2004, 381-382.

2 CHAPTER TWO

2.1 Rwanda: the nexus between human security, state Capacity, development and the structure of violence in the seven historical moments

In this chapter the study gives answers to the following question: how did Human insecurities shape the historical structure of violence that led to the conflict which culminated into the genocide in Rwanda? The investigative specific questions include: How did that system of things manifest itself in the history of Rwanda, and what is its implication on the general theorisation about conflict? What was the role of state capacity in that system of things? In this chapter, basing on evidence about Rwanda, it is advanced that: human security related concerns have been part of the structure of issues which, for time immemorial have structured violence in Rwanda.

The study, in this chapter, further advances that the history of violence in Rwanda is generally related to the history of human insecurities as a result of threats to access to human needs which subsequently undermine human existence. At the general level, the major point that the study makes in this chapter is that: _ contrary to the assertion that a strong state presided over the 1994 genocide in Rwanda; as the government apparatus arguably meticulously organised and directed the violence which culminated into the genocide, and it is therefore argued that the state in Rwanda, as traced from the historical Nyiginya Kingdom to the genocide regime, exhibited inherent flaws as regards its role in the provision of human needs to the people, and that this somewhat metaphysical tragic thread saw the mobilisation for group violence historically probable. This study, at this point, subscribes to the contention that provision of social services to meet human needs which guarantee human security is a cardinal measure of state capacity, and the study argues in this Chapter that whenever this capacity waned, group violence became probable.

Methodologically, this chapter employs qualitative data, that is, academic and public policy documents of which are: books, journals, and reports of national and international

civil-societies, diplomatic correspondences and media writing. The data analysis was guided by the constant comparative analysis method of the grounded theory methodology. Incidents from the texts (documents) were continuously compared and coded, and codes were also compared along the conceptual concerns of the study; human security, state capacity. Codes for human security were developed basing on the principle of ``negative indices advanced by Jennifer Leaning, and Sam Arie,¹⁶⁸ and state capacity was coded basing on the elements of state capacity as advanced by Cullen S. Hendrix.¹⁶⁹ The ``logic of abduction``¹⁷⁰ was adopted to reach to conclusions concerning the central argument of this chapter.

In this Chapter it is majorly contended that conflicts are bound to happen in any society regardless of the sophistication of the human and institutional arrangements; for it is from the very ``neat`` human and institutional arrangement that conflictual situations do emerge. It can also be stated that as peace is inevitable in a given society so is conflict. They are to use the old English adage: two sides of the same coin. One side asserts the meaning and importance of the other; for how would we have understood the meaning and the imperativeness of peace if there were no conflicts? And how would we have appreciated the cataclysmic nature of conflicts if we had no imagination of the benefits that peace comes with? We do appreciate peace because we are aware that conflict comes with distraction and destruction. Even those who are belligerent towards other states and people require a safe haven. The inevitability of conflict means that peace is also

¹⁶⁸ Jennifer Leaning and Sam Arie, *Human Security: A Framework for Assessment in Conflict and Transition*, 2000., note that human security can be measured basing on the existing threats to human security which they call: ``Negative indices`` or ``inverse of security``, epitomised in the absence of the basic necessities of life like food, water and shelter, and the protection from life threatening threats like diseases, economic challenges like unemployment, coupled with absence of psychosocial needs like denial of identity, denial of citizenship as the case might be with refugee returnees; lack of recognition, like in the allocation of government jobs; denial of participation, for example in national activities like elections, and denial of autonomy, as it might be with groups of people within states yearning for either self-rule or a somewhat autonomy of a federal character.

¹⁶⁹ Hendrix, in, *Measuring State Capacity*, 2010, 47:273-285, collapses what he calls the competing definitions and operationalisation of state capacity into three issue areas, namely; military capacity, bureaucratic capacity-administrative capacity, and the coherence of political institutions.

¹⁷⁰ Explaining the constant comparative analysis method of the grounded theory methodology, Birks Mill, in, *Essentials of Grounded Theory*, http://www.sagepub.com/upm-data/36848_birks.pdf; quotes Reichertz explanation of the ``logic of abduction`` that it is when the researcher 'has decided ... no longer to adhere to the conventional view of things ... Abduction is therefore a cerebral process, an intellectual act, a mental leap, that brings together things which one had never associated with one another: A cognitive logic of discovery' (Reichertz, 2007, 220).

inevitable but peace in our conflictual world cannot be attained by a mere assertion of its importance. Society whether construed at the global, regional or domestic level ought to have institutions-; structures for resolving conflicts, so that they do not progress into blood-letting episodes of violence. Violent conflicts indicate a relapse in the structures that are meant to curtail probable conflictual situations into turning violent.

At the level of state-craft, the state, which in the context of this chapter takes the same meaning as government, ought to have the capacity to be at the vanguard of ensuring that conflicts are resolved before turning violent, and to this study, this is referred to as ``state-capacity``. Government to this study connotes the political structure of the state. The study, therefore, advances that in instances where the state/government is weak to resolve conflicts before they manifest themselves through violence, then, such a government structure needs reformation in a way that gives it the ability and capacity to contain conflicts they turn violent.

As we noted in the Chapter preceding this, the causes of conflicts can either be internal or external in their causes, but the two causative levels can sometimes converge to cause a conflict. The study does not sustain this line of argument, but rather uses it as a somewhat point of departure to advance that internal violent conflict which may be a result of contestation for political power, which contestation may be waged from outside the frontiers of the state in question, entails the desire to have unfettered access to the privileges of power that come with it, inter alia, monetary resources and influence. However, whereas to the leadership of any political violent group the objective is how to attain political power, this chapter advances that, what makes other people to be swayed into or to put it in other words: to be manipulated into joining violence are the concerns that are related to their human needs. Human needs may differ from individual to individual, society to society, and accrue to the material level at which one stands.

The study advances that in instances where human needs are not met, where they are threatened, then, the mobilisation of the people by political demagogues becomes an objective easy to attain. Human needs are central to the survival of people; survival is primary and human beings feel grossly insecure if the human needs that are pivotal to their survival are threatened. To this study, the situation where threats to the enjoyment of

what a society has socially constructed as human needs; needs that have been central to the primordial existence of people or a given society, qualitatively and quantitatively reach a level of inadequacy and improvidence on the side of the state and its functioning agency: government, that the citizenry feel deprived, and therefore finding it difficult to lead a normal life without encumber; is what this study looks at as ``human insecurity`` a presence of which translates into ``human security``. If people respond to incentives, then, the quest for survival, which is largely construed in terms of access to the necessities of life, can make people view violence as a means to surmounting threats to their survival, both as a means of guarding against loss or as a means to acquisition.

Political demagogues who view violence as a means to attaining their political goals can find a population that is physically and psychologically disoriented by inadequate means to needs or scarcity of the needs as generally gullible for political manipulation. The study pursues this trajectory as it explains the historical path to the 1994 genocide in Rwanda.

The study also advances that the state, the institutions for governance, whose standard and cardinal role is to organise society are supposed to play a role in curtailing violence that may accrue from the disenchantment of the population either as a result of inequity in resource distribution or fear of losing access to the resources. Where the state fails to streamline resource distribution, or where it favours one side against another in resource distribution, then, the state becomes culpable of impropriety and improvidence on side the people and the presence of demagogic leadership makes violent conflicts probable.

However, what is unique to the 1994 genocide in Rwanda is that violence was executed by those who were supposedly favoured in their access to, *inter-alia*, government jobs. As such, it is argued here that the fear of losing access to the resources, which resources were unfortunately meagre as the study subsequently elucidates, made the population to fall victim to the chicanery of the political elite who wanted to use popular violence to instigate fear in those who were plotting against their political power. The study, at this point, in its analysis, drawing on examples from the historical moments which Rwanda has transited since the days of the Nyiginya Kingdom, traces a somewhat human security-

cum-state capacity thread which literally pervades the visitations of violence that have been part of the development of the state, which is Rwanda.

It is imperative to precisely note that in scholarship about Rwanda, attempts have been rife in giving answers to a number of pertinent questions, but most importantly, the questions: Why did people participate en masse in the killing of their neighbours, their wives, their husbands and children? Why did the genocide against the Tutsi gain much appeal among the Hutu. It has gained credence that there are some the Hutu elites who refused to be party to the genocide, but why did the majority engage in the decimation of the Tutsi? Mamdani writes of the ``moral dilemma of the Rwanda genocide``; to precisely put his bewilderment about the genocide. To him the extent of violence may not have been that much if the people from ``below`` had not countenanced the actions of the *genocidaires* (French word for those who commit genocide). It should be recalled that the genocide in Rwanda was well planned and well executed both at local and national agency, and it is this scheme of things that has made many a scholar to conclude that; it was strength rather than a weakness in Rwanda's state capacity that saw the genocide, a conclusion which this study, using historical evidence from Rwanda, argues against. If political propaganda by the elites served to manipulate the psyche of the masses to participate in the genocide, then, a question emerges: why did that propaganda resonate with the thoughts of the majority Hutu? What motivated the people to join the killing spree? Indeed some were forced, but what about those who submissively killed? It is among the central contentions of this study that where the state or any other political actor manipulates the improvidence of human needs of the people to mobilise them into group violence; it indicates a weakness in state capacity rather than strength in state capacity.

The nature of violence which took place in Rwanda has been put at three levels of violent killings, one: between the combatants in the civil-conflict; with the Rwanda Patriotic Front on one side and the Rwanda government troops on the other. Two: that between the Hutu and Hutu as a result of being viewed as ``moderates``; either sympathising with the Tutsi or when the poor Hutu looked at them as being rich that their property could be shared if killed. Three: that which involved the killing of civilian Tutsi by the civilian Hutu mobs. This Chapter focuses on the third level of the structure of violence where

Hutu civilian mobs decimated Tutsi civilians. The Hutu masses were mobilised, coerced and cajoled into participating in the genocide.¹⁷¹ This study monographically approaches the structure of the violence which saw the genocide in Rwanda; with a particular focus on human security and state capacity.

To attain its analytical density, the study explores the four historical moments of Rwanda and the episodes of violence that pervaded those periods. The historical moments are: Pre-Colonial, Colonial, Post-Colonial and Post-1959, and a detailed explanation of how human insecurities unfolded in the history of Rwanda is as follows:

¹⁷¹ Mahmood Mamdani, *When Victims become Killers*, 2007, 4-7.

2.1.1 Pre-Colonial Rwanda: ``The Garden of Eden in decay``.

At this point the study argues that even in the formative years of the Rwandan state, violent conflict largely obtained from human insecurities as a result of scarcity in human needs and the inability by the state/government or the responsible authorities to thwart those scarcities. The argument is sustained as follows:

It emerges quite clearly that it was majorly land and the issues that revolved around it that sowed the seeds of civil violent conflicts in the history of Rwanda since the days of the Nyiginya Kingdom.¹⁷² It should be noted that the pre-eminence and eminence of land in the life of human beings cannot be overemphasised. It is a source of survival to the people in a number of ways: tilling it for food, erecting structures on it for shelter, a source of water for themselves and for the domesticated animals, and a final resting place when death strikes—interning the dead in it. Therefore when it became continuously scarce to serve the needs of everybody, even in the historical pre-colonial period; violent conflicts were probable.

Indeed, even politically speaking, any political entity; *inter alia*, a state, an empire, chiefdom, a kingdom, or a principality is geographically expressed in terms of the territory (a land mass) over which it claims sovereignty. It is on that land mass that the population of a political entity resides. The people reside on land, and derive their survival from it. So land is at the primal existence of both the political entities and the human being. Indeed, the human community that historically inhabited the regions of pre-colonial Rwanda,¹⁷³ and the historical Nyiginya Kingdom derived its livelihood from land; the farmers planted their crops on the tilled land, the herders grazed their cattle on the plains and the foragers gathered their fruits from the forests.

When land was still in abundance because of the small population, conflicts over arable land occurred between the farmers who needed a more stable tenure than what Vansina

¹⁷² Vansina, *Antecedents of Modern Rwanda*, 2004, particularly pages, 126-127 and 164-194.

¹⁷³ Rene Lemarchand, *Rwanda and Burundi* (London: Pall Mall Press, 1970), 4, explaining the credibility of the Rwandan state before colonialism, notes that Pre-colonial Rwanda was fitting well into the logic of ``political modernisation``. That it had forged a semblance of ``stable boundaries``, ``definable national cultures`` and viable ``political institutions`` that had attained considerable legitimacy.

refers to as ambulatory herders; who could easily move from one part of the kingdom to another in the quest for pasture lands. Co-existence between the herders and farmers was forged and sustained as a result of the synergetic benefits which accrued to both of them in their interaction and utilisation of the same land. It is outlined how farmers got manure from the cow dung, and how the herders in return were let to herd on the foliage left after harvesting. But as land became meagre due to population growth among the herds and the people, conflict ensued and institutional management of land became a matter of functional necessity.¹⁷⁴ The institutional management of land required institutions with ability to adjudicate in land conflicts. The Nyiginya Kingdom was later to be at the helm of land management.

Indeed, even before Ndori institutionalised the Nyiginya Kingdom; political organisation was forged in the wake of scarcity of land. Coupled with the survival needs of the farmers and herders, the existing political structures at the grassroots had to forge the administrative capacity to surmount the conflicts on land. Rules were made to guide cooperation on land. The rules focused on the burning of bushes, access to water points and marshes and passage of herds during transhumance, and most importantly the annual re-allocation of land were done to balance access of land by the two communities.

It is noted that the nature of the activities which a group did on land later came to define their social naming in society; with the farmers referred to as the Hutu, herders referred to as the Tutsi and the foragers referred to as the Twa.¹⁷⁵ These social categories or vocational categorisation later became politically institutionalised, first during the days of the Nyiginya Kingdom and later by colonialism. It was during the time of the Nyiginya Kingdom that farmers were marginalised in favour of the herders (the study elucidates this later). Colonialism sustained the status-quo as it will later be sustained by this study. The details of how the Tutsi, Hutu and Twa came to be political classes are extensively discussed elsewhere, and therefore beyond the limited focus of this chapter,¹⁷⁶ and

¹⁷⁴ Vansina, *Antecedents of Modern Rwanda*, 2004, 27.

¹⁷⁵ Buluda Itandala, *Ethnicity Versus Nationalism in Rwanda*, Paper Presented at the Codesria Conference on Academic Freedom, Social Research and Conflict Resolution in the Countries of The Great Lakes, held in Arusha, Tanzania, 4-7 September, 1995, 5-6.

¹⁷⁶ For a detailed treatment of the origins of the Hutu, Twa and Hutu categorisations and how they later became conflictual, *C.f.*, Vansina, *Antecedents of Modern*, 2004, particularly pages, 134 and 140, with Mamdani, *When Victims Become Killers*, 2001, particularly Chapter 2.

Mamdani advises us not to dwell much on how the categorisation of the Tutsi and Hutu came to be, but rather to dwell on understanding and explaining what made them to turn into ``polarised identities``, to an extent of resorting to violence.¹⁷⁷

Accordingly, what should be emphasised is that as the population became dense, competition for land became inevitable. Conflicts were rife with each group preoccupied by its survival. The farmers decried the damage that herds caused as they grazed through their gardens, and they also demanded to use their land for planting drought resistant crops like yams, contrary to the arrangement that herders would graze their cattle on the foliage and marsh remaining after harvest. What made matters worse is that herds were expanding and herders needed access to more land. It is outlined that, ``... each head of cattle required an amount of land that was nearly twice what was necessary to support a family of farmers. ``¹⁷⁸ Herders were always in the quest for more land and they started encroaching on the land for farmers. This was met with stern resistance and conflict abounded.

Also when population densities were still low, people survived through traditional means of tapping; through fruit gathering, hunting and trapping, and that they could afford the luxury of leaving an ambulatory existence. The increase in population across the eighteenth and nineteenth centuries made people to resort to permanent domiciling thus shifting to agriculture, fishing and herding. Claims on territories became inevitable.¹⁷⁹ This suggests that skills in land management evolved with the challenge of population growth and political and social institutions emerged as a matter of societal functional necessity. As such, state-capacity evolved as a result of somewhat political functional necessity; which this study takes to be the need for an authority or authorities to lead society in managing practical societal challenges.

¹⁷⁷ See Mamdani, *When Victims Become Killers*, 2007, 59.

¹⁷⁸ Vansima, *Antecedents of Modern Rwanda*, 2004, 28. Lemarchand, *Rwanda and Burundi*, 1970, 15, also captures for us how the problem of population explosion continued to haunt Rwanda across a period of time. He notes how in the 1910, many years before the genocide of 1994, the Duke of Mecklenburg wrote of Rwanda as being ``thickly populated``, and that by the census of 1955, the population density stood at 227 per square mile with an average population growth of 3.3 percent per annum. Lemarchand adds that the situation was also not helped by the expanding herds of cattle which stood at three million (3million) in 1956; in competition with the population of people.

¹⁷⁹ David Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 303.

The desire to manage the distribution of land as a basic need was at the heart of the political transformation of the Nyiginya Kingdom. The objective for streamlining the distribution of land by the authorities was to thwart conflicts over it. The marginalisation of one group in favour of others, however, served to undermine the credibility of the authorities. For instance, the community of foliagers, the Twa community, became the victim of the increased need for land by the herders and farmers; as forests were encroached on. Even when alliances were forged between extended families (Imiryango) to form a clan whose composition would sometimes include farming and herding families united in forging an agreement on the land tenure and defending their tenure,¹⁸⁰ the Twa were left out. This depicts the historical marginalisation of the Twa. Emphasis should be made that the headship for the clan was supposed to come from the extended family (Umuryango) that cleared the land in the first instance, and ownership rights (Ubukonde) were hereditary with chieftaincy (Abatwale) but under the King-- the overlord of the land. Other family lineages that wanted to occupy the land would seek permission from the founding hereditary chief. Newbury writes that those who resided on the land of the Abakonde—the early lineage that cleared the forest for settlement were in a somewhat patron-client relationship referred to as ``Ubugererwa``.¹⁸¹ The clients had to pay bounty to the patrons (abakonde), in form of offering the best of their harvests to his court, in addition to offering corvee labour for his service.¹⁸² The capacity to administer the issues concerning land as a basic need was central to the kingdom.

It should be outlined that political, social and economic relations in the pre-colonial Rwanda evolved with changes in land tenure systems. The development of the state; that is Rwanda, in its pre-colonial existence, was related to the desire to forge effective control over land. The scarcity of land came with political innovations that were aimed at increasing the amount of land that people had access to. Indeed Jan Vansina points out that the kingship to which allegiance was paid to by the Chiefs (Abatwale) emerged out of the forcible imposition of the militaristic herding lords that wanted increased access to land for their herds, thus forcefully acquiring land from the farmers who had initially

¹⁸⁰ Vansina, *Antecedents of Modern Rwanda*, 2004, 34-35.

¹⁸¹ Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 290.

¹⁸² For an depth treatment of Patron-Client Relations on land and cattle, and how those relations later sowed discontent and hatred among people, see, Vansima, *Antecedents of Modern Rwanda*, 2004, particularly pages, 126-127, and Mamdani, *When Victims Become Killers*, 2001, 60-75.

cleared the land for farming. As such lordship emerged on land, but this lordship was a preserve for herders who using a permanent military presence subjugated the Chiefs (Abatwale) and their subjects later creating principalities. In these principalities access to land was generally in favour of the herders as the Chief Lord maintained a large portion of land for the herders. Farmers were granted land rights on partitions referred to as ``Ingobyi``. In return they would make payments to the land lord in form of land clientship known as *Ubureetwa* and offer corvee labour for his service. *Ubureetwa* was a form of clientship on land, with a patron and a client. The patron could extend land and protection to the client, as the client pays a bounty and labour in return. Lemarchand, though writing about the ``buhake clientship``, notes that the clientship system was a web of a special kind, that a patron would also be a client to ``a more wealthy Patron`` and the wealthier patron was also a client to the King (Omwami). Accordingly, the clientship was a central pillar to the Rwandan political system, since the fountain of the clientship was the king.¹⁸³

Coercion was used to ensure compliance.¹⁸⁴ The subjugation of the farmers by the herds' lords was later to translate into a political arrangement which was to subsequently bring violent conflict between the farmers against the herd's lords. It was just a matter of time.¹⁸⁵ Even as the institutionalisation of the Nyiginya Kingdom started; land continued to determine political, social and economic relations.

Military capacity as a form of state capacity was at the centre of ensuring the effective management and availability of land and as it was in the most parts of pre-colonial Africa. Kingdoms militarily attacked other kingdoms in the quest for territorial expansion, and political authority was exerted onto the inhabitants of those territories.

¹⁸³ See, Lemarchand, *Rwanda and Burundi*, 1970, 36. However it is It is Buluda Itandala, 1995, 9-10, that gives a succinct exposition of the ``buhake`` or ``ubuhake`` noting that: it was a system where Hutu peasants entered into clientship with Tutsi cattle owners who gave or loaned them cattle in exchange for loyalty and service. In essence it was a system which provided for reciprocal rights and obligations between a superior person or lord (shebuja) and an inferior person or client (garagu). Also, Jean Marie Kamatali, *Ethnicity and Constitutionalism in Post-Genocide Rwanda*, 2001, 109-110, quoting Murego notes that three meanings are attached to the *Ubuhake*:

1. As a way of making oneself a subject.
2. A derivation from the term *guhakwa*, referring to the act of paying a courtesy call on the authorities.
3. A way of pleasing a superior in the quest for his favour by a subject

¹⁸⁴ See Vansina, *Antecedents of Modern Rwanda*, 2004, 42- 43.

¹⁸⁵ See *ibid*, 2004, 164-180.

Indeed, the Nyiginya Kingdom, the one whose territory generally forms the current colonially constructed Rwanda, was built through military campaigns against other Kingdoms.¹⁸⁶ From King Ndori to Rwabugiri, the last absolute King before the advent of colonialism, the Kingdom expanded from the small territory of Gasabo to include, ‘‘not merely the whole territory of the present Republic of Rwanda but also other districts that today form part of Uganda and the Democratic Republic of Congo.’’¹⁸⁷ Land was viewed as a source of power for the kings and it defined their relationship with the subjects.

It is Ndori that first created a fully fledged military organisation to be part of his administrative structure. The military capacity served as an instrument for forceful territorial and cattle acquisitions by his kingdom from other political entities. Though in passing, mention should also be made that the army served as unifying factor in the kingdom as all inhabitants from about the age of ten had to serve in the military.¹⁸⁸ Every male, regardless of whether he was Twa, Hutu or Tutsi was an affiliate to the army.¹⁸⁹ It is in the *Ibsumizi* (the name of Ndori’s army) that the: ‘‘... development of the Rwandan language as well as its artistic expression, which was especially reflected in the practice of different poetic genres’’,¹⁹⁰ was institutionalised. This seems to complement what David Newbury explains that whereas different regions ‘‘cobbled’’ together, ‘‘regional identities’’ were subordinated to ‘‘national logic’’.¹⁹¹ This subordination of the region peculiarities to the national seemed to have started from the military with its universal membership.¹⁹²

With a neat centralised administrative structure, epitomised in the presence of military chiefs in the different provinces of Rwanda, conflictual situations on land were largely undermined. Indeed before the move to decentralisation of power was done, the military

¹⁸⁶ See, Frank K. Rusagara, *Resilience of a Nation: A History of the Military in Rwanda*, (Kigali: Fountain Publishers, 2009), 1-61.

¹⁸⁷ *Ibid*, 2004, 11.

¹⁸⁸ *Ibid*, 2004, 62.

¹⁸⁹ Mamdani, *When Victims Become Killers*, 2001, 67.

¹⁹⁰ *Op. cit*, 2004, 62.

¹⁹¹ Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 266.

¹⁹² For a through treatment of regional peculiarities in Rwanda, David Newbury and Catherine Newbury refers us to Jan Czekanowski, *Forschungen im Nil-Kongo-Zwischengebiet* (Leipzig, 1917) who elaborately delineates the norms and customs of the north and north west areas of Rwanda with the norms at the royal court that were the norms of the central and southern regions of Rwanda.

might of the overlord ensured continued loyalty as it could not only guarantee protection to the territorial lords but also threaten them into submission. The military was at the heart of state consolidation.¹⁹³ Tight control of the population by the military, to which all those that were over ten year's were part, ensured sanity even where it may not have obtained all the time. But the events of the eighteenth century were to prove a challenge to the political structures. The military was at the centre of state-capacity during the Nyiginya times and military capacity was aligned to the effective control of land which was both important to the survival of the individuals, the inhabitants of the Nyiginya Kingdom and that of the kingdom with the King as the supreme.

However, the civil war that persisted from 1796-1801 following the Ndabarasa's death undermined the power of the kingship as the families that made up the royal court became overly ambitious in their quest for power.¹⁹⁴ Power struggles ensued to the detriment of a unified administration that had been forged. Civil violence undermined the capacity of the king to manage the affairs of his kingdom.

The availability of land as a human need was central to the survival of the people. It was the pivot of social cohesion in the Nyiginya kingdom. Land was the source of unity among the people within the kingdom and among themselves. It is land that was central to the ritual ceremonies that wielded the social unity that defined pre-colonial Rwanda. For instance, the ceremony of the annual first fruits ceremony (Umuganura), where fruits, ``sorghum and eleusine millet`` were presented to the king by his Hutu ritualists to mark the beginning of the harvesting season¹⁹⁵ was very much related to land. On land the fruits were planted and harvested for the festival which acted as a kind of *social glue* for the people and brought them close to their political leadership. Indeed, whereas internal scuffles used to ensue because of power rivalry in the dynastic lineages, natural calamities like famine and drought would not only undermine the survival of the people but also the power of the king. The power of the king and even his spiritual influence were tied onto land, for a wave of drought and famine, were considered to be a jinx on the side of the leadership and a threat to the kingdom as people would migrate from one

¹⁹³ Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 294-295, 297-299.

¹⁹⁴ Vansima, *Antecedents of Modern Rwanda*, 2004, 140-147.

¹⁹⁵ For thorough narration of the nature of the Umuganura, see Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 292.

kingdom to another in the quest for survival and this would undermine the power of the kingdom which they left.¹⁹⁶ This depicts how the threats to the availability of human needs that guaranteed the survival of the people which this study conceptualises as human security, served to undermine state-capacity, which to this study is precisely the ability of the state to plan and execute its functions, which in the context of this chapter is the historical review of the capacity of the Nyiginya kingdom to function.

Accordingly, the state capacity of the Nyiginya Kingdom, in all its complexities, was always marshalled to thwart any calamity that would undermine the providence of human needs. For instance, as part of the functional institutions of the Nyiginya Kingdom, were the ritualists. The ritualists had to be always at the service of the king to use their powers to thwart any pestilence and catastrophe that would undermine the productivity of land. As such the *Corporation of the ritualists* was an important structure in the administrative structure of the kingdom and central to its capacity to wield unity among the inhabitants and consolidate the legitimacy of the king.¹⁹⁷

Indeed, it is not a moment to isolate when we read that occasional rituals were performed to ensure availability of rain for continued food supply and pasture in the kingdom.¹⁹⁸ The king was concerned with the welfare of his population in as much as he was concerned with the security of his realm and whereas he had the military to put enemies at bay at his court. The rain makers occupied a central position.¹⁹⁹ Newbury attributes this kind of arrangement to ``the forest ecology of the Congo-Nile`` region where the Nyiginya Kingdom was geographically located.²⁰⁰ Notwithstanding that, a lapse in the availability of food and pasture as a result a pestilence; as it was with small pox that attacked herds or drought that made crops and pastures to wither, the political power of the king did not always go unchallenged.²⁰¹ This suggests that the threats to the human security of the people as a result of decline in the availability of human needs like food, also served to undermine the power of the sovereign, the king, who during the reign of

¹⁹⁶ Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 301-302, cites how wars were fought as a result of dynastic rivalries involving the Ndurwa, the Gisaka and the Burundi Tutsi dynasties.

¹⁹⁷ Vansima, *Antecedent of Modern Rwanda*, 2004, 57-58.

¹⁹⁸ *Ibid*, 2004, 58.

¹⁹⁹ *Ibid*, 2004, 57

²⁰⁰ Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 290-291.

²⁰¹ *Op.cit.*, 2004, 174-175.

the Nyiginya Kingdom was equally concerned with the human security concerns of his people for without people he was without a kingdom.

It deserves mention that sometimes issues that generally reflected a human security orientation, exemplar of these; diseases and famine, also served to undermine the power of the king and the person of the king. Indeed, it is not a moment to isolate when we read that upon the death of Gahindiro of the Nyiginya Kingdom, when a succession dispute for power ensued between Sentabyo and Gatarabuhura, the latter, on a request for assistance from the King of Gisaka (a kingdom that was ravaged by a smallpox epidemic) sent a gift to Sentabyo, but the gift which was infected with lice carrying smallpox was kept by Sentabyo's brother who later succumbed to smallpox, and that when Sentabyo came to commiserate with his brother, he also succumbed to smallpox and subsequently died.²⁰² It should also be mentioned that at the fall of the nineteenth century, the epizootic which killed several herds of cattle, which were the sources of wealth, undermined the Nyiginya kingdom under Rwabugiri and subsequently made it vulnerable to external attacks from the armed African armies and the colonialists.²⁰³ This illustrates how human insecurities even in the early history of Rwanda; served to undermine the power and tranquillity of the state, which at that point in time was represented by the Nyiginya and the king.

Control over land as a guarantee of human security, as it acted as a source of a diversity of human needs: food, pasture for grazing, place of abode, and interning of the dead; a central pillar in the Kinyarwanda culture, was a function central to political power. Accordingly, land was a tool for political control, as earlier mentioned, and before the institutionalisation of the Nyiginya Kingdom; the heads of the families that found the land or a hill or hills were the legitimate owners of that land. Even when they were subjugated by the Nyiginya overlords; they continued to own that land as far as they recognised the Nyiginya king as the overall lord. The creation of the Official herds meant that the king had to have access to more land and indeed his court would be shifted from one area to another and he subsequently owned all the areas that ever hosted his court

²⁰² Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 302.

²⁰³ *Ibid*, 2001, 311-312.

even when it was re-located.²⁰⁴ This is an indication that the political capacity of the king obtained much from his control over land, not as a mere territory but also as the primary means of survival of his people.

Proper distribution of the powers over land was central to the tranquillity of the society. Gerald Prunier writes that the Chiefs of land were mostly Hutu because agriculture was their main vocation,²⁰⁵ as if to underscore the fact that Hutu was a word that was used to refer to farmers as a social category in Rwanda. However, it is Mamdani who discusses further how problematic was the political move to transfer powers over land ownership from lineages (Ubukonde) to the king who then appointed chiefs, who were always likely to be from the herding lineages for they were nearer to the royal court and its administration, to administer it on his behalf.²⁰⁶ The balance of power between the farmers who had hitherto been the chiefs of land (abatwale wa buttaka) and the Chiefs of herds and the King who was also more inclined to herding was undermined. Alienation of land rights widened the gulf between the farmers and their herding counterparts. The control over land created greater power for the king; for apart from cattle, land was the singular most important means of production. This means that the capacity of the king to manage the control and distribution of land, a central human need was important for sustenance of his influence.

It should be noted that it is only through his claim over all the cattle that the king seemed to be in direct control over the means of production. Though this study is not on cattle, mention should be made that through the royal herds, the king's influence in matters of production was largely felt. He would literally confiscate a herd which he admired²⁰⁷ and through a tax (intore), which was sometimes paid either triennially or triple-annually, he could request for some animals to form a new royal herd. He would give away some of his cattle to his subjects who would enter into a client-ship contract (Ubugake)²⁰⁸ for protection by the king. This scheme of things gave him unfettered ownership over their

²⁰⁴ Vansina, *Antecedents of Modern Rwanda*, 2004, 72-73.

²⁰⁵ Prunier, *Rwanda Crisis*, 1995, 12.

²⁰⁶ Mamdani, *When Victims Become Killers*, 2007, 64-65.

²⁰⁷ *Ibid*, 2001, 65.

²⁰⁸ David Newbury and Catherine Newbury, in, *Bringing the Peasants Back In*, 2000, 860, explain that Ubugake cattle clientship was a way of conscripting labour; where the client would freely offer his labour to get the "usufruct of a cow" in return.

cattle and the land on which they grazed. Thus the King became the overlord of land and cattle. This points to a political structure organised in form of patron-client relationship, a somewhat centralisation. A unity of administration as far as resources were concerned was created and it streamlined allocation of the two means of production and survival: land and cattle.²⁰⁹

However, Newbury rejects the universality of the *Ubugake* client-ship arguing that the practice used to take place among the Tutsi, than between the Tutsi and Hutu, thus more of a symbol of an alliance among the politically powerful than of exploitation. David Newbury uses the finding of the study which was conducted in South-Central Rwanda, a place that formed the nucleus of the Nyiginya kingdom, to give topicality to his argument. He notes that the study found out that only fifteen percent of the respondents had indicated that their father's generation participated in the *Ubugake*, with the percentage coming down to eight percent when it came to grandfathers' generation that preceded the colonial rule.²¹⁰ That notwithstanding, the indication that there were those who were receiving and those who were giving means that it was neither a relationship of equals nor a congenial relationship for it came with some responsibilities which were supposed to be met by the client by periodically returning a cow to the aristocratic ruler.

At the same time, the *modus operandi* of the *Ubugake* as it was with other political, economic and social arrangements of the Nyiginya kingdom kept on evolving depending on the interests of the leadership and the demands of the time. So, Saucier's conclusions on the *Ubugake* ought to have factored-in the issue of time, and when David Newbury uses Saucier's study to dismiss Maquet's "premise of inequality" in his treatment of the *Ubugake*, but later to acknowledge how the practice was evolving across a period of time, then, at this point we find Newbury quite self-contradictory in his treatment of the *Ubugake*.²¹¹

²⁰⁹ For a thorough treatment of the "Ubugake" system, see, Vansima, *Antecedents to Modern Rwanda*, 2004, chapter 3.

²¹⁰ Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 304, citing a study conducted by J.-F. Saucier, "The Patron-Client Relationship." Also see, Lemarchand, *Rwanda and Burundi*, 1970, 36-37.

²¹¹ See, Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 304 and J. J. Maquet, *The Premise of Inequality in Ruanda* (London 1961): 138, 150.

Indeed, capturing how the *Ubughake* had transformed across a period of time, Gerald Pruner notes that sometimes the practice was used as a measure of ``upward social mobility`` for the Hutu, where a Tutsi patron (Shebuka) would give a cow to a Hutu client (Mugaragu), if a cow reproduced, calves were shared between the client and the patron, and when the client became rich in cows, then, he would be *icyihuturu*, ``de-hutuised`` and ``Tutsified``. So, as if to counter-argue Newbury's argument that *Ubughake* was a Tutsi limited practice, Prunier contends that it is highly probable that the limitation existed before the notion of *Tutsification* of the Hutu had been engineered.²¹² Without going into the details of *Ubughake* and how the practice evolved, it suffices to conclude that it was a form of social interaction and it should be seen as part of the system of things that were later, particularly during the colonial period, politically and socially manipulated to create a gulf between the Hutu and Tutsi social groups in Rwanda.

The conflictual situation which was simmering as a result of the collapse of the somewhat balance of power between the herders and the farmers as regards access to land was aggravated by the increase in population as each great family wanted its sons to have unfettered access to lucrative positions in the kingdom.²¹³ This hegemonic rivalry among the great families fuelled external aggression in the quest for more territories to create more officialdom. The quest for more officialdom also warranted more divisions within the existing territories and this translated into increased exploitation of the clients—subjects of the kingdom.

Again land was at the centre of this somewhat political techno-logic. The population growth was not limited to the elites but also to the subjects. Guided by the mythology of reproducing themselves through children, having many children was seen as source of prestige and continued existence. It is said that the introduction of the highly yielding American bean (Igishyimbo) led to increased nutritious dieting. Internal population explosion was coupled with increased immigration of people into the Nyiginya kingdom, more so from the northwest. This added onto the already burgeoning population.²¹⁴ Gerald Prunier notes how ecological factors may have facilitated the increase in the

²¹² Prunier, *The Rwandan Crisis*, 1995: 14, also see, Dixon M. Kamukama, *Rwanda Conflict: Its Roots and Regional Implications* (Kampala, Fountain Publishers, 1997), 15.

²¹³ Vansina, *Antecedents to Modern Rwanda*, 2004, 140-147.

²¹⁴ *Ibid*, 2004, 129.

population in the Nyiginya Kingdom. He observes that because of highlands, the areas were insulated from tsetse flies and mosquitoes that may have undermined the survival of the people and their animals. . He adds that the highlands made the areas impervious to foreign intrusion; first by hostile tribes and second by ``the coastal Swahiri slave raiders``.²¹⁵ High population densities led to increased demand for land and this demographical change required practical solutions to be availed by the kingdom through its capacity. But this time the capacity was to be overwhelmed.

Where the capacity of the state- cum -kingdom could not streamline the distribution of such a human need, conflicts were bound, and inevitably the disintegration of the kingdom drew nigh. Gerald Pruner contends that the increase in population and the increased demand for land required forging ``centralised forms of political control`` if harmony in society was to be maintained.²¹⁶ Strict adherence to family's (inzu) plot (Ingobyi) boundaries was demanded and enforced. From the *ingobyi* more plots (Umunani) were demarcated to be given to the sons upon marriage. Land arithmetic became primary, but even with the meticulousness of the arithmetic skills applied by the chiefs as they divided and sub-divided plots of land, a category of the landless and those with little land emerged. This category later became labourers (Umucaniro) to serve those who had enough land in return for food stuffs. Land became more of a symbol of power and influence than ever before, and lineages started raising armies to guide their rights on land. The armies demanded food and support in terms of revenues which translated into a double tragedy for the farmers who had to pay for the militaries, and also provide the corvee labour for the elites.²¹⁷

Equity in the distribution of land could no longer be guaranteed by the leadership. The population of people was miniature in comparison to the burgeoning population of cattle. Land was reserved for the royal herds and the official herds of the armies in what Vansina refers to as ``a reserved herding domain``.²¹⁸ Access to that land was guaranteed by the king who could give client-ship. Client-ship ended up favouring the

²¹⁵ Pruner, *The Rwandan Crisis*, 1995, 2.

²¹⁶ *Ibid*, 1995, 3.

²¹⁷ Vansina, *Antecedents to Modern Rwanda*, 2004, 77-78.

²¹⁸ *Ibid*, 2004, 131.

elite herders living the common herders to either become underdogs of the elite herders or to graze on heavily utilised public domains.

The state or kingship devised further the methods through which the limited land was to be administered. Vansima enumerates the various land domains that were created; the domain of royal residences, the free domains of the ritualists and the royal cemeteries, the reserved domains, the military domains, the public domain under the ``Chief of the long grass`` referred to as the *Abanyankenke*, and the free domains. Indeed the state devised a complex administrative structure and capacity to manage the limited land. Hitherto powerful provincial chiefs were marginalised and the land under their control was subdivided. They later became mere chiefs of land (Umunyabutaka) and were to constantly conflict with the Chiefs of the long grass.²¹⁹

Lack of equitable access to land as a basic need that could guarantee the survival of the people; the human security of the Hutus (farmers) who were marginalised in favour of the Tutsi later undermined the harmony in the Nyiginya Kingdom. The state-capacity to manage the distribution of land was tilted in favour of the Tutsi. We are told that a new system of servitude was introduced and it was referred to as *Ubureetwa*, but to be only imposed onto farmers during the reign of Rwabugiri. It is at this point that we note that much as Mamdani dismisses the idea of concluding that Hutu was synonymous with farming and Tutsi synonymous with herding, when he notes that *Ubureetwa* as a form of client-ship that was imposed on only the Hutu, then, he inadvertently insinuates that Hutu were generally farmers as the Tutsi were generally herders.²²⁰ The chief of land, on top of the dues and bounty in terms of harvests he was entitled to, was added compulsory labour for two days out of ``the four days of the Rwandan week``.²²¹ This epitomised exploitation in the history of pre-colonial Rwanda.

Needless to go into the discussion of when and how the categorisations Hutu and Tutsi began, it should be mentioned that the *Ubureetwa* pauperised the farmers, and Vansina informs us that the word Hutu also carried pejorative connotations in reference to slaves

²¹⁹ C.f., Mamdani, *When Victims Become Killers*, 2007, 66 and Vansina, *Antecedents to Modern Rwanda*, 2004, 132-133.

²²⁰ Mamdani, *When Victims Become Killers*, 2007, 66.

²²¹ Vansima, *Antecedents to Modern Rwanda*, 2004, 134.

and the poor. This thesis is also supported by Mamdani's explanation of the *Kwihutura* -- a situation where Hutus who accumulated much cattle would literally shed off their ``Hutuness`` and thus become *Tutsified* politically.²²² Whereas the *Kwihutura* helped in avoiding the hardening of social divisions between the Hutu and the Tutsi (associated with political power) as Hutus could become Tutsi upon accumulation of wealth (cattle was seen as a symbol of affluence); it goes without saying that with *Ubureetwa* all farmers regardless of the region they inhabited started looking at themselves as the HUTU for it seemed to condemn them into servitude. This indicated a move towards the consolidation of the Hutu group of people which was later to play a role in the extermination of its Tutsi counterparts.

Accordingly, all farmers had come to be referred to as Hutu and all herders as Tutsi, and when the *Ubureetwa* was put onto all farmers; with their herding counterparts exonerated, animosity abounded. The animosity between the Hutu and their Tutsi masters was also aggravated by the introduction of *ibikingi* at the beginning of the nineteenth century.²²³ Insurgencies by the ``Hutu`` and counter insurgencies by the ``Tutsi`` leadership that was part of the herding community were rife in the Nineteenth Century with a major insurgency, we are told by Vansima, taking place ``either in 1892 or around 1895`` led by a mysterious woman *Nyirafugi* with a call on her from the Hutu farmers that; ``Free us from the Tutsi``. The revolt was quenched but the farmers continued to feel grossly marginalised and exploited as a group and they continued yearning for a saviour. The advent of colonialism was perceived as the emergence of salvation for the Hutu community. The structure of violence was now clear; pitting the Hutu against the Tutsi.²²⁴

²²² Mamdani, *When Victims Become Killers*, 2007, 70.

²²³ Explaining the *ibikingi* practice, M. Catherine Newbury, *Ubureetwa and Thangata: Catalysts to Peasant Political Consciousness in Rwanda and Malawi* (Canadian Journal of African Studies, Volume 14, no.1, 1980):97-111, 100, notes that the practice was sanctioned by the King, allowing his prominent army chiefs, favoured warriors, and loyal clients to establish land domains; on which they would have authority own and have clients on it who could pay bounty to the ``owner`` who also make a payment to the King. What made *Ibikingi* to be hated by the people is that time reached when free labour provision was demanded in return for continued client-ship on ones *ibikingi*.

²²⁴ See Vansina, *Antecedents to Modern Rwanda*, 2004. Also, Linda Melvern, *A People Betrayed*, 2009, 12-13, while quoting Vansima notes how rumours circulated among the Hutu that a new King was going to emerge to uplift the Hut masses from their quagmire, and for more discussion of the political scheme of

Meanwhile the state-capacity of the Nyiginya, at the advent of colonialism, was at its lowest as a result of three forms of challenges according to David Newbury. The first form of challenges accrued to ecological and epidemiological reasons; with drought taking toll of the eastern parts of the Nyiginya Kingdom. Visitations of small pox epidemics and epizootic that claimed more than 90 percent of cattle in some areas coupled with the rustling of surviving cattle in the north of Rwanda, more so in the areas of Nkore kingdom, which undermined the external good neighbourliness that is central to state security. The situation was not helped by European foreign intrusion that had allowed sophisticated weapons like guns to the internal dissidents as it was with Kilima with power struggles against Mwezi.²²⁵ It is this system of things that made the intrusion of colonialism a successful Venture. Human insecurities undermined the state security of the Nyiginya Kingdom as they served to weaken its state-capacity.

A somewhat symphony of destruction of Rwanda had just started. Inequity in the distribution of land as a result of increased population of people and cattle had pushed Rwanda at the edge of a social conflict that when no corrective action was taken, by the powers that be, including the colonialists and the post-colonial leadership to streamline land distribution as a central factor in the social and political relations of the Banyarwanda, hatred among the two communities became entrenched that when the Hutu regime felt threatened by the advancing Rwanda Patriotic Army; which was generally considered to be a Tutsi military group, propaganda by the regime to mobilise the Hutu population against the Tutsi who were considered to be their historical tormentors rotated on among other things; that the RPA invasion was a scheme aimed at ``taking away the Hutu- land``. Popular violence became a strategic survival feat. However, colonialism cannot be exonerated as far as the structure of violence which culminated into the violent confusion which culminated into the genocide of 1994 was concerned, and at this point the study focuses on colonialism as an important historical moment in the scheme of things that led to the Rwandan genocide of 1994. The study examines the

things which obtained in Rwanda at the advent of colonialism, with power struggles undermining the unity of the kingdom, refer to: Lemarchand, *Rwanda and Burundi*, 1970, 57.

²²⁵ Newbury, *Precolonial Rwanda and Burundi*, 1970, 311-312, also see, Odonga, *Rwanda and Uganda*, 1995, 12.

colonial period with specific attention given to the issues related to human security and state capacity.

2.1.2 Colonial Rwanda: ``memorably absurd``.

The Nyiginya Kingdom, after many years of ``splendid isolation`` where it enjoyed continued sovereignty; first as a result of the natural buffers: rolling hills and in the middle of natural cover, coupled by the ruthlessness of the Banyiginya (the people of the Nyiginya Kingdom) and their king when it came to dealing with aliens, the Kingdom became colonised many years after other lands had been colonised.²²⁶ Officially it lost sovereignty at the Berlin Conference of 1885. But official German presence occurred on 4th May, 1894, when Gustav Adolf Von Götzen was received by King Rwabugiri. Rwanda became part of the territory which was referred to as the German East Africa with Von Götzen as the governor.²²⁷

The colonial administration of the Germans was short-lived as the colony was handed over to Belgium after the First World War in 1923. The German colonial state-capacity in Rwanda obtained largely from the Tutsi monarchical model of administration. Though the large territories of Germany East Africa like Tanzania were organised administratively into the Bezirksaemter (Districts), with the Bezirksamtaenner (district administrators), the administration of Rwanda was left to the institutions of the Kingdom.²²⁸ The Tutsi monarch was facilitated to defeat his political enemies who were in and outside the kingdom. The German colonial administration comprised of a limited number of personnel, and Tutsi chiefs continued to serve the royal court as well as the interests of the colonials. The state capacity of the colonial state relied heavily on the tools of coercion which were provided by the German colonials and the administrative machinery which was being provided by the Tutsi Chiefs. The method of colonialism was generally indirect, and was a reflection of the conjectural construct that the Tutsi were: ``part of the supposedly superior Hamites (and that they) were natural rulers of the country``.²²⁹ The Belgians at least in the initial days of their colonial administration

²²⁶ See, Lemarchand, *Rwanda and Burundi*, 1970, 47-48.

²²⁷ See, Melvern, *A People Betrayed*, 2009, 7-26, for a summarised introduction of Rwanda and colonisation.

²²⁸ Kamatali, *Ethnicity and Constitutionalism in Post-Genocide Rwanda*, 2001, 110-111.

²²⁹ Itandala, *Ethnicity versus Nationalism in Rwanda*, 1995, 13.

retained and sustained what the Germans had constructed. Later, though, white colonial administrators from Belgium came in to provide suzerainty to the native authorities.²³⁰

From the section preceding this, it has emerged quite clearly that land, among other things that are beyond the scope of this study, had seen visitations of conflictual violent situations even before colonialism. Survival of the individual hinged on land regardless of the vocation; whether for cattle rearing or for farming. When the population, of people and cattle increased, the state, albeit not at the level of the modern today's Rwanda; devised the means of containing competition over the limited available land. However, state policy, either consciously or inadvertently became increasingly iniquitous when it came to the distribution of land in Rwanda, more so when *Ubureetwa*, a form of patron-client relationship, was placed on the farmers with the herders exonerated.

As noted earlier, the disfavoured farmers invested their hope in the coming of a somewhat saviour. The fore-runners of colonialism were as such enthusiastically received. Instead of solving the already deepening social crisis over land, however, colonialism aggravated the crisis. Land related concerns accelerated social divisions in the Nyiginya society, and colonialism served to entrench those; almost somehow canonising them. The Tutsi and Hutu identities that had transformed across a period of time were elevated by colonialism from social classes to the level of biological differences.²³¹ The Tutsi were constructed as a superior civilising race that had migrated from far land, fine in character and physical characteristics; that made them natural leaders of the other races in Rwanda (Hutu and Twa).²³² Mahmood Mamdani tells us how

²³⁰ Kamatali, *Ethnicity and Constitutionalism in Post-Genocide Rwanda*, 2001, 110-111.

²³¹ For a detailed discussion of the biological distinction between the Tutsi, Hutu and Twa, see, Pruner, *The Rwandan Crisis*, 1995, 6 and Melvern, *A People Betrayed*, 2000, 14.

²³² Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 832-87. Also Newbury, *Pre-Colonial Burundi and Rwanda*, 2001, 258, notes how the European observers related the political, social and economic aspects of the Rwandan society to ethnic attributes; with the 'Tutsi' related to power, pastoralism, and a unique physique; tall, thin and mostly light-skinned, the 'Hutu' related to servitude, horticulture, and somewhat stockier build, and the 'Twa' presented as hunters and sometimes potters, at the periphery of political power, short of stature, with stocky legs, round heads, and broad noses. However, David Newbury is quick to dismiss such generalisation saying that there are variations in the physical features even among the same ethnic group and that sometimes physical characteristics cut across the two ethnic groups, and that whereas all Tutsi were assumed to be pastoralists and the 'Hutu' farmers; there were many exceptions to the general yardstick used for many Hutu, at least in context of the historical moment which David Newbury focuses on, had cattle and many Tutsi's were cultivators. To him generalisation of that nature, '... deny logic and belie the empirical record.' Also see, David Newbury and Catherine Newbury, *Bringing the Peasants Back In*, 2000, 832-877.

‘‘the Tutsi/Hutu difference’’ was institutionalised by the colonial state or government and the Church. John Hannington Speke’s thesis on the ‘‘theory of ethnology’’ was promoted to the level of an intellectual imperative, yet, Speke had indicated that his was based on guess work, ‘‘so much for ethnological conjecture’’,²³³ devoid of empirical proof or truth.²³⁴ This construction of the Tutsi as a superior race, it is said that it inflated the ego of the Tutsi, but consolidated the feeling of inferiority complex and resentment of the Tutsi hegemony among the Hutu.²³⁵

The capacity of the colonial state in Rwanda, in all its complexities, was designed to ensure the success of the colonial project. The social groups (farmers and cattle keepers) were racialised by the institutions of the colonial state. The Church as an agent of colonialism, Mamdani teaches us, was at the vanguard of accelerating the racialisation of the two social groups; Tutsi and Hutu. It is noted that way back in 1902, the Catholic priest, Father Leone Classe, who was later to become the Bishop of Rwanda, had already concluded that the Tutsi were ‘‘Super humans’’ and that in 1917, Francois Menard referred to a Tutsi as ‘‘a European under black skin’’.²³⁶ Gerald Pruner quotes the Dominican Father, Etienne Brosse who suggested that the Tusti came from the Garden of Eden.²³⁷ It is against that backdrop that when the Belgian authorities wanted insights into the nature of the Rwandan society in order to forge an administrative framework suitable for Rwanda, the Catholic Priests; Father Arnoux, Hurel, Pages and Schumacher had to craft the ‘‘Anthropological treaties’’ which Leon Classe consolidated into a single document to guide the Belgian colonial government in understanding the native. The church, enthusiastic about the creation of a catholic state, coupled with its human

²³³ Newbury and Newbury, *Pre-Colonial Rwanda and Burundi*, 2001, 267-275, indicate that John Hannington Speke, in his *Journal of the Discovery of the Source of the Nile*, conjectured when the a pastoral clan in Abyssinia took over the reins of power, it became so powerful that it started sending armies on foreign missions, but whilst on those missions, one of its armies got lost within the interior of the African continent around the Nile where they found the Bunyoro Kitara Kingdom from which other Kingdoms emerged. This narrative was unsuspectingly extended by Pere Julien Gorju; to apply to Rwanda. Also see, Pruner, *The Rwandan Crisis*, 1995, 7.

²³⁴ See, Newbury, *Pre-colonial Rwanda and Burundi*, 2001, 267-275, for a thorough treatment of the empirical inadequacy of the assertion that the ethnic differences between the ‘Hutu’, ‘Tutsi’ and ‘Twa’ can be explained by migratory and biological reasons. To him, these ethnic differences emerged as a result of political, economic and social mophosis of the society.

²³⁵ Pruner, *The Rwandan Crisis*, 1995, 9. But for a more detailed treatment of the mythology of Tutsi superiority, reference can be made to: Lemarchand, *Rwanda and Burundi*, 1970, 93-116.

²³⁶ Mamdani, *When Victims Become Killers*, 2007, 87.

²³⁷ Pruner, *The Rwandan Crisis*, 1995, 8.

resource; the priests and catechists who were well versed with not only the psyche of the native but also ``with the languages, cultures, and histories of the different regions, and strategic spread``, became part of the colonial historical process, part of: ``an alliance of ecclesiastics and administrators``, in charge of colonial Rwanda.²³⁸ The Church was part of the state capacity of the colonial state in Rwanda.

Accordingly, the state capacity of the colonial Rwandan state thrived on the constructions of the church about the nature of the native that for the period between; 1927 to 1936, the church, we are told, was in charge of the social policy.²³⁹ It should be emphasised that whereas the Tutsi, Hutu and Twa social differences had started developing way before colonialism; colonialism institutionalised those social differences, manipulated them in order to control society and that post-colonial regimes sustained colonial constructs in a more cataclysmic outcome. Belgian colonial administration created institutions which entrenched and reflected racial constructions that: ``... a very dangerous social bomb was almost absent-mindedly manufactured throughout the peaceful years of abazungu domination``.²⁴⁰ Mamdani even laments the removal of the ``kwihutura``, a practice through which a Hutu would become a Tutsi. To him colonialism created a caste system in Rwanda, creating a completely Tutsi oligarchy.²⁴¹

Furthermore, education, state administration, taxation and the church were racialised and organised in a manner that reflected racial divisions. For instance special education was given to the Tutsi children, who were being prepared for administration, were taught in French, the language of the colonial state in Rwanda, and the Hutus were taught in Swahili, the language of manual labourers.²⁴² The school of Nyanza founded in 1919 was exclusively for the sons of chiefs and such privileged schooling also applied to the

Groupe Scolaire d'Astrida which was founded in 1935 to replace Nyanza.²⁴³ But what crowned the institutionalisation of the race phenomenon in Rwanda was the issue of the

²³⁸ Newbury and Newbury, ``Bringing the Peasants Back In, 2000.

²³⁹ *Ibid*, 2000, 848.

²⁴⁰ Pruner, *The Rwandan Crisis*, 1995, 9.

²⁴¹ Mahmood Mamdani, *From Conquest as the Basis of State Formation: Reflections on Rwanda*, New Left Review, ISSN-0028-6060; 216/1996.

²⁴² Itandala, *Ethnicity versus Nationalism in Rwanda*, 1995, 18.

²⁴³ Kamatali, *Ethnicity and Constitutionalism in Post-Genocide Rwanda*, 2001, 115.

identity card, carried by all citizens of the colonial state; indicating whether one was a Hutu, Twa or Tutsi. How a Tutsi was identified from a Hutu during the official census of 1933-1934 that led to identification according to Mamdani is debatable; with two threads to the argument: one, that a 10 cow rule was applied, that whoever had more than ten heads of cattle was said to be a Tutsi, and two: that the 10 cow rule would not have been sufficient for identification of the Tutsi for not all of them owned cows and he argues that other methods were used for instance the church records, networks and instruments to measure the height, size of the nose and other physical attributes.²⁴⁴

However, Melvern informs us that sometimes determination of an ethnic group to which one belonged was arbitrarily done since mixed marriages had already taken place more so in the south of Rwanda thus making physical characteristics as the basis of determining ones race deceptive, save for the North where intermarriages had not already gained momentum. The racialisation of the social and political Rwanda was institutionalised during colonialism that identity cards were given bearing ones ethnic group. We are reminded that the identity cards were used during the genocide of 1994 to separate the Tutsi from the Hutu.²⁴⁵ As such, colonialism availed the institutional mechanisms that acted as the infrastructure that made the genocide to be executed without encumber. The racialisation of what hitherto were social identities was part of the administrative capacity of the colonial state.

The colonial state, not just in Rwanda, but even elsewhere in Africa demanded a considerable measure of efficiency in its state capacity. It was uncompromising and very assertive.²⁴⁶ The chiefs were supposed to execute colonial policies with a measure of ruthlessness. Mamdani refers to this as a somewhat indirect rule; where a minority group of people, ``identified as civilised`` by the law, is ``enfranchised and empowered``²⁴⁷ to

²⁴⁴ Mamdani, *When Victims Become Killers*, 2007, 99, however, on the treatment of the physical attributes that colonialists used to gauge who was a Tutsi, Twa or Twa, it is Newbury, in, *Pre-colonial Burundi and Rwanda*, 2001, .225-314, Newbury and Newbury, in, *Bringing the Peasants Back In*, 2000, 832-877, who succinctly put the characteristics that; the ``Tutsi`` was: associated with pastoralism, tall, thin, and often light-skinned; the ``Hutu``: associated with servitude, horticulture, and stockier build; and ``Twa``: seen as hunters or potters, living on the margins of the political order with a short stature, stocky legs, round heads, and broad noses. However for the thorough analysis of the stereo-typing, with which colonialism treated social grouping in Rwanda, see Rene Lemarchand, *Rwanda and Burundi*, 1970, 41-48.

²⁴⁵ Melvern, *A People Betrayed*, 2009, 14-15.

²⁴⁶ Ali Mazrui, *The Africans: A Triple Heritage* (New York: Little Brown and Co., London, BBC, 1986).

²⁴⁷ Mamdani, *When Victims Become Killers*, 2007, 25.

work as proverbial pawns in the chase-like game of colonialism. Indirect rule in Rwanda using the Tutsi monarchy and its institutions was adopted first by the Germans and later sustained by the Belgians.²⁴⁸ In the colonial scheme of things the ``Tutsi`` were the victims not the victors because colonial policies and the manner in which they were executed, served to worsen the social divisions; alienating the ``Hutu`` from the ``Tutsi`` and the social crisis that was in the offing in the Nyiginya Kingdom before the advent of colonialism.²⁴⁹ However, Lemarchand observes that indirect rule was adopted just as an administrative strategic feat for as he quotes Ryckmans:

Legitimacy is more powerful than violence. The only smoothly functioning organ between us and the masses is the legitimate chiefs. They alone, because they are legitimate can induce acceptance of necessary innovations.²⁵⁰

The colonial state was no respecter of individual freedoms as a central aspect of human security. State capacity was aligned to the economic exploits of the colonial state. The colonial agrarian policies, which were part of the '*les reformes Voison*',²⁵¹ rotated on the following; forced labour, forced crops, forced sales and was crowned by an array of taxes that served to physically and psychological disorient the native. Mamdani notes that agrarian policies were introduced with a considerable measure of state-capacity to enforce them. The first level of state-capacity was manifested in the manner in which local administration was organised; with ``a single hierarchy of chiefs`` that was backed by ``customary law`` that legitimised the actions of the chiefs.²⁵² It is these chiefs, who were majorly Tutsi that were supposed to enforce colonial policies, *inter alia*; forced labour, forced cash cropping, forced sales and taxation.

State capacity was primary for the success of the colonial state, and the colonial political structure was designed to that effect. David Newbury writes that colonialism never

²⁴⁸ Rwandese Patriotic Front, *Rwanda: Background to Genocide*, (mimeo, June 1994): 3-4.

²⁴⁹ For a detailed treatment of how colonialism fuelled racism; constructing the ``Tutsi`` as a foreign people who came and imposed their civilisation onto the indigenous people; the Hutu and the Twa, see, Mahmood Mamdani, *When Victims Become Killers*, 2007, especially, Chapter one, two and three.

²⁵⁰ Lemarchand, *Rwanda and Burundi*, 1970, 66.

²⁵¹ Pruner, *The Rwandan Crisis*, 1995, 26, tells us that the Belgian colonial policies were implemented in a piecemeal manner, through a series of measures which came to be known as '*les reformes Voisin*'

²⁵² *C.f.*, Mamdani, *When Victims Become Killers*, 2007, 94 and Rene Lemarchand, *Rwanda and Burundi*, 1970, 78.

weakened the local elite state power, although the functioning of the state was enhanced through a measure of reforms, most importantly the reforms in administrative capacity through downsizing of the number of chiefs and through ensuring close monitoring of their activities by the colonial state to promote standardised procedures of bureaucratic control, ensuring ``effective penetration`` of the state in terms of policy execution and extraction capacity to enable tax collection, labour conscription, and the territorial expansion of the Rwandan state.²⁵³

The territory under the direct leadership of the king expanded and his style of leadership became more authoritarian even on areas that had hitherto enjoyed a considerable measure of autonomy, for instance the Hutu principalities of Northern, Northwest and Southwest Rwanda. Lemarchand refers to the situation where the colonialists assisted the king in the expansion of his suzerainty, as a matter of ``quid pro quo``: for as it was in the case of the Germans; as they supported the crown, the crown equally countenanced their colonial economic interests.²⁵⁴ We are told that some areas were annexed and added onto the King's area of jurisdiction. Kibari was annexed in 1918 and Bukoya in 1931.²⁵⁵ The land of the natives of the annexed areas was put in the hands of the central court; which also put it in the hands of the local elites who were mostly Tutsi. The local state elites were required to execute colonial policies with utmost efficiency. The alienation of the annexed people from their land undermined the cardinal pillar of their security; the land on which they live and cultivate food for themselves and their livestock. The nature of the colonial policies, how they were enforced, how they undermined the human security of the native, and how they accelerated social divisions in Rwanda that led to considerable waves of violence is delineated as follows:

On forced labour, it is noted that pre-colonial labour patterns were sustained,²⁵⁶ and that the common man was required to put-off days of state labour to construct and maintain public works known as the *akazi service*. The example of how the natives were coerced to construct and maintain terraces in the 1950s suffice to illustrate the nature of forced

²⁵³ Newbury, *Pre-colonial Rwanda and Burundi*, 2001, 313. Also see, Straus, *The Order of the Genocide*, 2006, 202-213.

²⁵⁴ Lemarchand, *Rwanda and Burundi*, 1970, 57.

²⁵⁵ Pruner, *The Rwandan Crisis*, 1995, 19.

²⁵⁶ Straus, *The Order of the Genocide*, 2006, 211-214.

labour; that by 1960, approximately 439,000 kilometres of terraces, ``enough terracing in this tiny country to circle the globe eleven times... `` were dug. We are told that the extent of the terraces meant that each person dug 10 meters a day and the ditches took over 55 million workdays.²⁵⁷ Kamukama observes that the native was required to participate in the construction of roads. The colonial government tasked the chiefs, who were thought to have customary powers over the native, to enforce the road construction and maintenance. Coercion was executed through two ways: duress, by beating; *Kiboko*, and taxation.²⁵⁸ The native was also required to offer two or three days of the week for free labour to the chief on top of the time spent on public works as a form of taxation referred to as *butake*,²⁵⁹. He also had to participate in the construction of permanent houses for the chiefs.²⁶⁰ The native did this without any payment.

So, the native, as far as the colonial policies were concerned, lost at two levels; the time he would have put on his farm was siphoned by public works, and that his labour could not fetch any tangible earning. David and Catherine Newbury note that the agrarian reforms the colonial policy implemented: ``worked against rural production patterns``.²⁶¹ Food production was inadvertently affected, the native had little time to cultivate his farm,²⁶² and it is no wonder therefore that a chain of famines hit Rwanda starting from as early as 1940; the same period during which forced labour had picked momentum.²⁶³ The access to food as a special human need for the survival of the native was undermined as his land had to be put to the production of cash crops. This had violent outcomes.

It was not out place therefore that in the 1950s, when the United Nations Trusteeship Council Visiting Missions reached Rwanda, the message from the natives was clear on

²⁵⁷ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 871.

²⁵⁸ Dixon M. Kamukama, *Rwanda Conflict*, 1997, 21.

²⁵⁹ See, Mamdani, *When Victims Become Killers*, 2007, 95. Also Prunier, *The Rwandan Crisis*, 1995, 27 observes that colonisers, the Belgians did not introduce another form of labour for public projects, but they only adopted and ruthlessly executed the Ubuleetwa (sometimes out as Ubureetwa by some writers) that had been introduced by King Rwabugiri as a method of getting labour for ``public interest``, at the end of the nineteenth century.

²⁶⁰ Mamdani, *When Victims Become Killers*, 2007, 95 also see, Itandala, *Ethnicity versus Nationalism in Rwanda*, 1995, 19-20 for a detailed exposition of the nature of forced labour during the time of Belgium Rwanda.

²⁶¹ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 865.

²⁶² See, Catherine Newbury, *The Cohesion of Oppression*, 1970, for a detailed treatment of the nature of forced labour during colonialism.

²⁶³ See, Kamukama, Rwanda, *Rwanda Conflict*, 1997, 24.

placards: ``Our Fields, If You Please!``.²⁶⁴ This was an agrarian tone, a calling of the Rwandans to be freed from the agrarian colonial policies so that they can till their land without encumber. This kind of arrangement also widened the gap between the Tutsi and Hutu. The Tutsi were exempted from: ``corvee labour and other customary dues``, thus becoming the ``leisure class``, concentrating on western education and chiefly roles.²⁶⁵ This solidified the Hutu alliance in their predicament. This solidarity was later to be exploited by political demagogues to serve their political goals as the study will elucidate later.

On forced crops, cash cropping specifically that of coffee was encouraged at the expense of food production that it is only the intermittent famine outbreaks that reminded the authorities of the importance of food production. Accordingly in 1924 and 1944, legislations were passed by the Belgian authorities to enforce food cultivation, digging of erosion trenches, usage of manure and planting of trees to ensure afforestation. However, even in the quest for food security by the colonial authorities in Rwanda, the burden lay more on the Hutus who were coerced by the Tutsi colonial chiefs.²⁶⁶

As such the nature of food production which was promoted was problematic, and it was enforced by the chiefs who had to ensure that famine resistant crops (cassava and sweet potatoes) that were protein deficient were grown. The farm of the native had to be demarcated in a manner that could reflect the administrative requirement of having part of the native farm land cultivated with famine resistant crops. Coffee production was an economic imperative that could not be compromised and it was equally enforced in a meticulous but ruthless manner.²⁶⁷ Indeed, it is for that very reason that we are told that by the end of the 1950s, coffee accounted for more than seventy percent (70%) of the total export earning of the Ruanda-Burundi Belgian territory, and quoting Leurquin's study titled: ``Le niveau de vie``, David and Catherine Newbury note that by the end of 1957, 62 million coffee trees had been planted in Belgian's Ruanda-Urundi.²⁶⁸

²⁶⁴ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 865.

²⁶⁵ Lemarchand, *Rwanda and Burundi*, 1970, 79.

²⁶⁶ Jason W. Clay, *The Eviction of Banyaruanda: The Story Behind the Refugee Crisis in Southwest Uganda* (Cultural Survival, 11 Divinity Avenue, Cambridge, MA 02138, 617-495-2562):10.

²⁶⁷ Mamdani, *When Victims Become Killers*, 2007, 96.

²⁶⁸ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 862.

In addition to forced-labour and forced crops were forced sales. The chiefs would force farmers and herders to sale-off their crops and cattle. The colonial policy decreed that not selling ones` assets, of which were agricultural produce, would be construed as lack of manners. Rwanda had to be opened for commerce and commerce would only thrive on increased sales. Whoever opposed the sale of his property, they would be forced to do it at the barrel of the gun. One instance suffices to illustrate the nature of forced sales and it goes as follows: that when it reached the colonial government that Mwami Musinga had ordered the native (breeders) to stop selling their cattle, two European traders; the Australian Fritz Schindelar and the Boer Praetorious, together with gun wielding escorts raided the areas of Gisaka and Nduga. During the raid, they held women as hostages. The act of holding women hostage was meant to force the natives to sell their cattle or else risk arson done onto their property. Commerce was being promoted at the barrel of the gun.²⁶⁹ Chiefs, aware of the benefits that would accrue to them in the execution of the colonial policies, like the extra taxation of the natives, did not spare even food crops when it came to enforcing sales. Beans for instance, a source of proteins had to be sold. As a result visitations of famine affect the survival of the people as many succumbed to starvation to death. ²⁷⁰ The outcome was that the food security, an integral element of the human security of the native was grossly undermined by the colonial policies. The security of the individual citizen of the colonial Rwandan state was undermined in favour of cash cropping, public works and commerce. The native whose survival hinged on land was now being forced to not only neglect his farming activities but also use his small land for cultivation of cash crops and famine resistant food crops, and force was applied in all these endeavours. So, the human security of the native was undermined at two levels; the level of food security and that of personal security as the native was coerced. This led to infinite sadness that was to see turmoil in the future of Rwanda.

Use of force was the *modus operandi* in the execution of colonial policies. Indeed, David Newbury and Catherine Newbury; quoting Dorsey in his study titled: ``The Rwandan Colonial Economy, 1916-1941``, note that colonialism penetrated the Rwanda rural

²⁶⁹ Mamdani, *When Victims Become Killers*, 2007, 96.

²⁷⁰ *Ibid*, 2007, 96.

society using forced cultivation of cash crops like coffee.²⁷¹ Mamdani notes how chiefs were whipped by Belgian colonial administrators whenever they refused to deliver on the policies as required. So, the chiefs, in order to avoid the embarrassment of being whipped in public, they had to whip the natives to work on terracing schemes, roads, pay their taxes on time, engage in cash crop production, ensure that famine resistant crops were planted, and promote commerce.²⁷²

Also taxation, as a function of the colonial state, was executed in an abusive manner. The Germans introduced an array of tax regimes that were sustained by the Belgian colonial government. Mamdani informs us of the Minimum Personal Contribution; a form of individual tax that was placed on every male adult. The church imposed an annual one Franc tax levy on the congregation. Ruthlessly collected, but what made matters worse was that payment become difficult as chiefs would sometimes literally siphon the wages of the natives which were earned from public works. All taxes were universally enforced by Tutsi chiefs, but the *Ubureetwa*, a non monetary form of taxation that dates to the pre-colonial Nyiginya, the real tipping point that led to the social crisis that saw reprisals of the farmers as it was ruthlessly executed by the colonial government. Taxation and the manner in which it was enforced constitute a threat to the personal security of the native because of the force which was used.²⁷³

The *Ubureetwa* was carried forward, and it served to entrench social divisions; this time in an institutionally racialised environment. Mamdani notes that the *Ubureetwa* scheme; a form of forced labour where the natives specifically the Hutu had to participate in the provision of free labour to the chiefs for at least 42 days a year, a reduction from the approximately 142 days that had started during the days of Mwami/King Rwabugiri was ruthlessly sustained.²⁷⁴ Catherine Newbury notes that much as the days were reduced following an edict that put *Ubureetwa* to one day per week, the fact that the Belgian Administration in colonial Rwanda decided to make the practice compulsory for all male adults, a deviation from the traditional representation of lineages by a representative, meant that *Ubureetwa* was no longer a group but an individual obligation, and chiefs

²⁷¹Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 868.

²⁷² Mamdani, *When Victims Become Killers*, 2007, 97.

²⁷³ *Ibid.*

²⁷⁴ *Ibid.*, 2007, 98.

would go ahead and exploit the naïve natives; who were not aware of the colonial rules governing the practice. Even when Belgian colonial authorities issued a decree limiting *Ubureetwa* to only 13 days per year, Chiefs continued exploiting the people by demanding that they should work for them for more hours; 3 days for labour for the Provisional Chief and ten days of labour for the chief of the local hill.²⁷⁵

By making the native to work for more hours for the chiefs, Gerald Prunier observes that the *Ubureetwa*, which he lexically puts as *Ubuletwa*, was generalised; extended even to areas where it had never been before. The *Ubureetwa* practice was also elevated from a family to an individual obligation. Hitherto a lineage would be represented by: ``a young good for nothing`` youth, but during colonialism, all male colonial citizens, sometimes women and children had to participate in this system of conscripted labour.²⁷⁶ It is noted that people were made to cultivate more in the chiefs` gardens than in theirs, and that some had to flee to other areas like the Belgian Congo, where *Ubureetwa* never existed.²⁷⁷ This aggravated the problem of food security yet food is central to the survival of an individual. This level of injustice directly undermined the human security of the native and consequently sowed seeds of discontent thus laying a foundation for future of turmoil. The state which would have addressed the injustice against the native was now the very institution that was sustaining the injustice.

By sustaining the *Ubureetwa*, a form of forced labour that was imposed on the Hutu but exonerating the Tutsi, done in the name of sustaining and ensuring that the customary authority of the chiefs over the population was not undermined, it meant that colonialism had failed but in one thing; amending the excesses of pre-colonial Rwanda which had seen past conflictual situations. The *Ubureetwa* client-ship was even extended to the areas that were annexed onto Rwanda during colonialism; like the areas that were northwest of Rwanda, and the Hutu kingdoms of Bukunzi and Busoozo. The alienation of their land, where the colonialists transferred it to the Tutsi elites which meant Hutu subjugation, bred strong anti-Tutsi sentiment among the people in these areas in the 1950s.

²⁷⁵ M. Catherine Newbury, *Ubureetwa and Thangata: Catalysts to Peasant Political Consciousness in Rwanda and Malawi* (Canadian Journal of African Studies, Volume 14, no.1, 1980):97-111: 103.

²⁷⁶ Prunier, *The Rwandan Crisis*, 1995, 27.

²⁷⁷ Op. cit., 1980, 97-111.

Land distribution became the most determining factor in the estrangement of the Hutu on one side with the Tutsi Chiefs and the common Tutsi on the other.²⁷⁸ Indeed, because of land alienation, the Hutu of the annexed areas of the North²⁷⁹ aligned with some members of the Tutsi aristocracy who were disoriented by the domination of the Abega royal clan after the death of King Rwabugiri, organised themselves into the famous Nyabingi revolt²⁸⁰ against the Tutsi and their colonial masters.²⁸¹ To Mamdani, it is the Nyabingi revolt, with the Tutsi and Hutu on antagonistic sides that portended the future of Rwanda.²⁸² The structure of violence was being delimited further; pitting the Hutu against the Tutsi.

The gulf between the Tutsi and Hutu became abysmal, and it is David and Catherine Newbury that put it in a simple measure, that: ``Economic insecurities, therefore, contributed to political mobilisation along ethnic line``.²⁸³ Linda Melvern notes that the exploitation of the Hutu coalesced the ``Hutu group``,²⁸⁴ which later acted in unison to extricate themselves from exploitation. The economic insecurities were revolving around a single pivot point: that is access to land and its usage; and it was not only the Hutu who were affected, but also the Tutsi. David and Catherine Newburg quoting Leurquin in his seminal report: *Le niveau de vie*, state that there was no considerable difference between rural Hutu and Tutsi when it came to income and food security. It is added that the agrarian policies of colonialism were draconically executed. For instance when overgrazing became a problem, ruthless methods like forceful selling of produce was enforced, idle land was confiscated by the state authorities; reducing traditional measures of tapping soil fertility through fallowing. Fallow land was a traditional source of pasture for the cattle keepers. Also when the colonial authorities assumed redundancy

²⁷⁸ Catherine Newbury, *Ubureetwa and Thangata*, 1980, 106.

²⁷⁹ The Hutu of Northern Rwanda preferred to refer to them as the Bakiga and indeed their blood relatives in Uganda especially in the area of Kabale are referred to as Bakiga. This seems to reflect that the argument that the Hutu were/are a social construction than a biological reality may be worth exploring for those who are still interested in the trajectories concerning the Hutu-Tutsi origins).

²⁸⁰ For a detailed treatment of the Nyabingi revolt, see, Murindwa-Rutanga, *Politics, Religion and Power in the Great Lakes Region* (Kampala, Uganda: Fountain Publishers, 2011, ISBN 978-9970-25-070-7).

²⁸¹ E.D. Mushemeza, *The Politics and Empowerment of Banyarwanda Refugees in Uganda, 1959-2001* (Kampala, Fountain Publisher, 2007, ISBN 978-9970-02-719-4).

²⁸² Mamdani, *When Victims Become Killers*, 2007, 105.

²⁸³ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 868.

²⁸⁴ Melvern, *A People Betrayed*, 2009, 14.

among the rural population, labour conscription for public projects/colonial projects was improvised. Local equity was therefore undermined.²⁸⁵

As a result of the exploitation, many Hutus as depicted in the preceding paragraphs migrated to other lands to escape the wrath of colonial policies. Many went to Uganda in the quest for a safe haven against unpaid labour in Rwanda. Jason W. Clay provides the number of those who entered and left Uganda via Kagitumba Bridge from and to Rwanda. The figures are as follows:

Table: 1 *Rwandans Entering Uganda via Kagitumba Bridge (1927-1946)*

Year	Arrivals	Departures
1927	23,000	
1928	35,000	
1929	40,000	
1930	23,000	
1935	15,000	
1936		61,500
1937		28,812
1938	60,464	47,776
1939	13,331	32,912
1940	71,682	20,708
1941	65,194	52,388
1942	42,113	42,910
1943	38,572	22,451
1944	18,546	13,272
1945	41,509	17,365
1946	38,113	24,501

The table was adopted from, Jason W. Clay, 1984,12.

The movement to Uganda was generally blamed on heavy taxation and forced labour. Jason quotes the interviews provided by Richards capturing the reasons why Hutu labourers went to Uganda. The reasons given were as follows: `` (our) money is only

²⁸⁵ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 870.

enough for taxes. It causes people to be half naked and their wives too.... ``. That: ``The people in Rwanda work all day long and the money they earn makes no difference because they go half- naked still``. That: ``The peasants in Buganda are much better in every respect than the people in Rwanda-Urundi``. That: ``In Nyanza (Rwanda) the food is short and the people are poor``. That: ``I left because in Rwanda a man and his wife have to work from early morning till late at night for the chief...``. That: ``Ordinary men work for their chiefs and when they find they have nothing to wear, they leave the country to look for money``. That: ``In Rwanda we work very hard for very little pay..... We work all day long and the money we earn makes no difference``. That: ``If I was not beaten I would never have come to Uganda.... I left because I wanted a job without beatings``. That: ``It is like a holiday to come to Buganda``. That: ``The Ganda peasant is the as a rich man in Rwanda-Urundi. They sell freely what they cultivate, and that: `` (the) peasant in Buganda is not like a peasant but he is like a sort of little Chief. ``²⁸⁶

From the above eleven answers to the question: why did you leave Rwanda; which was put to the Rwandan migrant labourers in Uganda at the time, it can be concluded that the quest for human needs and freedom, which are the cornerstone of human security, forced many Hutus to migrate to Uganda.

State -capacity of the colonial state relegate the providence and availability of human needs to the very periphery of state craft. The denial and lack of human needs entrenched conflictual tendencies as the gulf between the Tutsi, who were favoured by the colonials, and the Hutu reached cataclysmic levels. It is this historical hatred that was later to structure the genocide of 1994.

Indeed the 1950s political unrests presided over by both the Hutu activists and the Tutsi progressives demanded change in state policies to address; poverty, inequality, insecure access to land, and the inadequate opportunities for education and issues facing the youth like unemployment. The central court that was a citadel of Tutsi power was not representative of all those who were categorised as Tutsi. The rural Tutsi as part of what David and Catherine Newbury refers to as the: ``Local agency`` as opposed to ``state

²⁸⁶ Jason W. Clay, *The Eviction of Banyaruanda: The Story Behind the Refugee Crisis in Southwest Uganda*, (Cultural Survival inc, August 1984):13.

agency`; also dreaded colonial exploitation through the central court.²⁸⁷ So, it can be inferred that what widened the animosity between the Hutu and Tutsi were among other reasons beyond the scope of this study; the colonial exploitative policies that were imposed onto the Hutu and enforced by Tutsi chiefs but exonerating the common Tutsi. The Ubureetwa was instructive in this regard.

However, David and Catherine Newbury reveal to us that much as the colonialists claimed that they sustained customs like *Ubureetwa* for the sake of not antagonising the traditional arrangement, the labour conscripted from this arrangement was generally synonymous with the main mission of the colonialists in Rwanda and Congo. Labour was conscripted from Rwanda for the mines and plantations, and for the cultivation of cash crops in Rwanda.²⁸⁸

Mention should be made that all the afore-mentioned policies accrued directly to land. Someone would be deprived of land by the local chief in case of non compliance to the aforementioned colonial agrarian policies.²⁸⁹ Though at first the colonialists had tried to protect the farmers from the cattle keepers who used to confiscate their land and sometimes randomly graze their cattle in the cultivated fields as the colonialists illegalised such activities; it was for selfish reasons than for humanitarian concerns for colonialism in Rwanda was interested in cash crop production and cash cropping demanded more arable land. What made matters worse was that colonialism refused to recognise ownership of land by `native collectivities`; land that was communally owned for instance by a group of farmers. To the colonialists such land was considered to be vacant. One example of the type of land which was considered to be vacant by colonialism was the: *Ubukonde* Hutu landholdings, which were located in north-west and south-west Rwanda. It was confiscated and the individual Tutsi elites, because of their closeness to the colonial authorities, took the land that customarily belonged to the Hutu. This reflected a move towards private ownership of land. The Hutu were very bitter and their bitterness became manifest when they burnt the Tutsi houses in those areas during

²⁸⁷ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 869.

²⁸⁸ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 871; also for a detailed treatment on Ubureetwa, see Catherine Newbury, *Ubureetwa and Thangata*, 1980.

²⁸⁹ Catherine Newbury, *Ubureetwa and Thangata*, 1980, 105.

the 1959 revolution.²⁹⁰ The structure of violence was elevated to a struggle for survival as land was not just a human need; but the most singular source of survival.

It should be underscored that what fuelled the hatred between the Tutsi and Hutu was not so much because of forced labour, forced crops and forced sales, but rather that ``Tutsi`` chiefs became the instruments of this unfairness. A correlation of the angst that had started accumulating during the times of the Nyiginya sovereign also emerged and got entrenched during the colonial period. The execution of the colonial mostly agrarian policies was brutal even for the native chiefs. The Tutsi Chiefs were given targets which they had to meet or else heavily whipped by the Belgian colonial authorities. So instead of being whipped, they whipped the Hutu to comply with the demands of the colonial master, and it was for this reason that the United Nations Visitation Report of October 1948 condemned the whipping of the people during forced labour. The report also condemned the general subservience of the ``Hutu masses`` in Rwanda. The Hutu were subjected to a measure of discrimination be it in political, social and economic spheres of life.²⁹¹ The Hutu was denied justice because the Native Tribunals were staffed by the Tutsi chiefs. The Hutu were marginalised even as far as education was concerned. For instance of all the 349 students who were attending Nyanza Ecole Pour Fils de chefs, in 1928, were Tutsis.²⁹² Hutu chiefs were dismissed in favour of the Tutsi chiefs. Indeed going by the published colonial statistics of 1959, of the eighty one (81) chiefs, only one (1) was a Hutu, and of the 1050 sub chiefs only 50 were Hutu.²⁹³

The typical ``Tutsi`` chief was elevated and alienated from the rest of society, and it should be noted that whereas not all Tutsis were chiefs and not all Chiefs were Tutsi, the fact that the ``Tutsi`` were favoured when it came to matters of administration and the dreaded *Ubureetwa* in comparison to their Hutu counterparts, then, hatred was abound. The Tutsi were seen as part of what David and Catherine Newbury referred to as, ``dual

²⁹⁰ Pruner, *The Rwandan Crisis*, 1995, 28.

²⁹¹ Linda Melvern, *A People Betrayed*, 2009, 7.

²⁹² Lemarchand, *Rwanda and Burundi*, 1970, 74-78.

²⁹³ Lemarchand, *Rwanda and Burundi*, 1970, 82. Also see, Walter Bgoya, *Education for Peace and Development in the Great Lakes Region; Publication and Dissemination of Literature*, Mkuki na Nyota Publishers, Dar es Salaam.

colonialism''.²⁹⁴ But ``dual colonialism`` is an understatement for the church played an important role in this system of things. Probably we should be writing of ``triple colonialism`` which is an overstatement for the local chief was just a somewhat conduit than a beneficiary; for even the benefits that accrued to the chiefs could not be compared to the cataclysm that was to out of this marriage of convenience. The actions of the ``Tutsi`` chiefs alienated them and their Tutsi folks from the rest of the population, and it is the very reason that violence was not limited to only the chiefs but to all those they were identified with in terms of race: The ``Tusti``.²⁹⁵

Struggles for independence were more a struggle against the domination by the Tutsi at the central court than against Belgium rule, and indeed when the Belgians started planning to leave in 1959, a popular revolution against the Tutsi dominance was executed. The Tutsi monarch was overthrown leading to the first Hutu Republic under Gregoire Kayibanda.²⁹⁶ The revolution was executed with a high level of violence against the Tutsi. M. Catherine Newbury concludes that the ``political consciousness`` of the peasants that made them to participate in the revolution of 1959-1961 accrued: ``... from grievances having to do with exploitation, oppression, and the violation of social norms by the elites.``²⁹⁷ The revolution, in all its complexities, is said to have been as:

``...the result of an oppression of a certain social group by another social group, (and a group which was oppressed was the majority group.)``²⁹⁸

The Hutu and some progressive Tutsis believed that their freedom lay in being free to enjoy full rights on their land, and indeed the revolution undid the *Ubureetwa* practice. The Tutsi elites lost their claim on power and as Mamdani put it ``Victims became

²⁹⁴ Newbury and Newbury, in, *Bringing the Peasants Back In*, 2000, 865-869, note that much as the Hutu had their own differences, never at all historically, socially and culturally homogenous, they were united by the exploitation of colonialism, executed by the Tutsi chiefs of the central court. It is the execution of colonial policies by the central court authorities that they refer to as ``dual colonialism``.

²⁹⁵ See Pruner, *The Rwandan Crisis*, 1995:39.

²⁹⁶ See Lemarchand, *Rwanda and Burundi*, 1970; and Itandala, *Ethnicity Versus Nationalism in Rwanda*, 1995, 21-24 for a detailed exposition on the violent outcome of the Hutu revolution of 1959.

²⁹⁷ See, Catherine Newbury, *Ubureetwa and Thangata*, 1980, 111, and Lemarchand, *Rwanda and Burundi*, 1970.

²⁹⁸ The submission of Premier Avocat-General Mugenzi to the panel of experts of the African Commission on Human Peoples' Rights, in, The African Commission on Human and Peoples' Rights, Examination of State Reports, Libya-Rwanda-Tunisia, 9th Session, March 1991:65-66.

killers''.²⁹⁹ The Hutu, to put it a little metaphorical, *rose above them-selves*, and put a fight against exploitation. The state capacity of the colonial state was primarily aligned to ensure extraction and exploitation of the native and his land. The human needs of the native were secondary that even issues of food security which were and are still central to the security every Rwandan were ignored. The structure of violence directed to overthrowing the *status-quo* was partly a quest for security on land and the personal security of the harassed Hutu native. The Hutu native broke loose his chains if we are to adopt a Marxist stance.

Three events, which were concomitants of colonialism but accruing to the human security of the native, facilitated the political consciousness of the Hutu. Apart from being disoriented by the agrarian colonial policies, these very policies became a somewhat blessing in disguise. Those who migrated from Rwanda to other areas, *inter alia*; Buganda, Kivu, Kilembe, Busoga and Katanga; in flight as a result of forced labour got exposed to various ways of political, social and economic arrangements. They were considerably well travelled, well learnt and men of means in comparison to the average Rwandan that stayed. Mamdani quoting Catherine Newbury seminal publication titled: *The Cohesion of Oppression: Clientship and Ethnicity in Rwanda, 1860-1960*, notes that 11,771 labourers were recorded to have entered into Uganda for just: the first ten months of 1925. So for those who returned, they had the capacity not only to be part of those who wanted freedom, but also be at the centre of mobilisation for freedom.

Indeed it is noted that the Kinyanga Hutu revolt was led by the former wage earners who had then become credible entrepreneurs in Rwanda.³⁰⁰ Linda Melvern informs us that the ideology of Hutu power with its objective of creating a 'pure Hutu nation' was forged in the mines of Belgium Congo by those Hutu that went there as labourers.³⁰¹ The policy of forced cash cropping of coffee led to the increased flow of money to the Hutu who were integrated into the cash economy through coffee growing and coffee selling. Though coffee growing was forcefully implemented, the Hutu were in position to get

²⁹⁹ This is the title which Mamdani gave to his publication of 2007 on Rwanda.

³⁰⁰ *C.f.*, Mamdani, *When Victims Become Killers*, 2007, 111, Pottierm Johan, 1991, 'Review of Catherine Newbury, *The Cohesion of Oppression*' Clientship and Ethnicity in Rwanda, 1860-1960 (*Journal of Peasant Studies*. 18(2)):346-347.

³⁰¹ Melvern, *A People Betrayed*, 2009, 15.

money to educate their children which children were later to become the Hutu elites, who although initially segregated against by the colonialist when it came to employment, when the Belgians started perceiving the Tutsi as radicals due to incessant demands for independence; recourse was made to the educated Hutu to substitute the Tutsi chiefs.

Also, although the church, throughout the colonial period, had favoured the Tutsi, at the end of the Second World War, with the waning influence of the racial ideologies, the new breed of European priests in the Catholic Church of Rwanda started taking interest in the predicament of the majority Hutu believers. It is for that very reason that the catholic media became enthusiastic about the publication of the plight of the Hutu. Instructive of those media publications was the Church Kinyarwanda language pamphlet ``Kinyamateka`` (literal translation: On the Laws or Of the Laws).³⁰² It is the Kinyamateka, a somewhat newspaper that delineated and popularised the plight of the rural Rwandans, but specifically the Hutu. We are also informed that the European Catholic clergy in Rwanda reached to an extent of assisting clandestinely the Hutu elites in preparing manifestos and petitions to the United Nations.³⁰³ Melvern without circumlocution notes that it was a Belgian Priest that actually volunteered to write the Hutu manifesto.³⁰⁴

Emphasis should also be made that the forceful inclusion of the Northern principalities during colonialism, areas that had hitherto maintained their independence from the Central Court of the antecedent of modern Rwanda, the Nyiginya Kingdom, and the subsequent threat it posed to their economic security as their land was alienated, their personal and political security undermined as they became subservient to the Tutsi Chiefs who wielded a lot of authority and forcefully executed their duties meant invitation to radical political tendencies that had been subdued in the areas of central and southern Rwanda because of the kind of political socialisation that was done on annexed peoples as it was illustrated through the nature of the Nyiginya militaries that were very integrative.

³⁰² Mushemeza, *The Politics of Empowerment*, 2007, 46. Also see, Pruner, *The Rwandan Crisis*, 1995, Chapter 2, The Hutu Republic (1959-1990), where he gives a thorough treatment of the rise of Hutu dominance of the Social, Political and economic sphere of Rwanda and the effects of that scheme of things.

³⁰³ Mamdani, *When Victims Become Killers*, 2007, 125.

³⁰⁴ Melvern, *A People Betrayed*, 2009, 16.

So the areas of the north, annexed during colonialism were far from the inclusive nation that the Nyiginya political leadership had forged before colonialism.³⁰⁵ The ``Northern Hutu`` were owners of land (Bakonde) and some bonafide clients (Bagererwa) before they were subjugated by colonialism and put under the repressive rule of the Tutsi chiefs. They may have forgotten their kinsmen who perished as they opposed subjugation, but they did not forget the loss of their survival, that is land. Lemarchand, in reference to the problematic nature of Hutu from Northern Rwanda, noted that they are:

Hardier and studier than most ordinary Hutu, the Kiga people of northern Rwanda have always been looked upon by their neighbours as a rebellious lot, fiercely individualistic and contemptuous of established authority.³⁰⁶

It is observed that they put a fight against subjugation by the German and Tutsi-led southern Rwandan troops. It is said that it took several military campaigns by the German Schutztruppen for the period between 1910 and 1912 before the Bakiga (Hutu of the North) were subjugated. We are told that they as a result hated the Tutsi and their Hutu counterparts in the South.³⁰⁷ The ``Northern Hutu`` became a force to reckon with in the waves of the structure of violence which reached peak in 1994; with the genocide against the Tutsi.

It should be reiterated that in their agitation for independence, Hutu elites, who coincidentally came from the north, called for a somewhat liberation from a ``dual-colonialism``, that of the Tutsi and the Belgians. Even when Kayibanda, a Hutu from Gitarama discriminated against the Hutu of the North, it is General Habyarimana, a Hutu from the North who executed a coup against him. Inference can be made that, probably, if the Rwandan state had not been re-organised through the annexation of the areas of the north onto Rwanda which was under the control of the *Abanyiginya* before colonialism, or if their autonomy had been upheld by colonialism as preparations for independence were underway, the radicalism that came with agitations for independence of the Hutu

³⁰⁵ Mamdani, *When Victims Become Killers*, 2007, 07-108, gives a detailed treatment of the uniqueness of the ``Northern Hutu`` and why they became problematic in the body-political experience that is Rwandan.

³⁰⁶ Lemarchand, *Rwanda and Burundi*, 1970, 58.

³⁰⁷ See, Melvern, *A People Betrayed*, 2009, 15.

and the animosity towards the Tutsi may have been thwarted. To give credence to this kind of conclusion, Mamdani writes thus:

...the real turning point in the history of political conflict and political violence was not colonialization at the turn of the century, or even the replacement of German by Belgian rule at the beginning of this century, but the re-organisation of the colonial state from 1926 to 1936.³⁰⁸

Accordingly, the three factors, elucidated in the preceding paragraphs, acted in unison to coalesce the Hutu nationalism, a nationalism that was directed towards the Tutsi who had been constructed by colonial narratives as aliens that had imposed themselves onto the indigenous people of Rwanda; the Hutu and the Twa. It is also those very Tutsi that colonialism exempted from forced labour and for whom chief-hood had been reserved for during colonialism. It is that kind of favouritism that alienated the Tutsi from the Hutu, that when the Hutu ascended to political power they guarded their power metaphorically speaking at a sword's end. A retrogressive journey to disaster in Rwanda had started; a disaster that would see visitations of group violence of the Hutu against the Tutsi; a common occurrence whenever the existence of the Hutu and their political gains were threatened.

However, in line with the above, it should be mentioned that the 1959 Hutu revolution that had seen the rise of the Hutu elites into position of influence and the subsequent declaration of Rwanda as a republic was without violence except in reaction to the agitations for the restoration of the monarch and the Tutsi insurrection as seen in the activities of the *enyekeezi* (the cockroaches).³⁰⁹ Mamdani seems to suggest that a revolution is an event, which happens and then ends in a somewhat span of the moment, a conclusion that is problematic. A revolution, this study contends, is a process and that process entails several events which happen at different moments. The violence which occurred after the 1959 Hutu rise to power; symbolised by the overthrow of the monarch cannot be divorced from the revolution which saw the Hutu rise to power. The Post-

³⁰⁸ Mamdani, *When Victims Become Killers*, 2007, 105.

³⁰⁹ Ibid, 2001:104. But for a seminal treatment of the nature of what Lemarchand refers to as a "The Peasant Revolution" and the violence which had to out as a result of the insurrection of "The Inyenzi at the Gates", see Lemarchand, *Rwanda and Burundi*, 1970, 93-118, and 197-228. However, the discussion of this thread obtains from Mamdani for his treatment is contextualised within the genocide of 1994.

colonial era was metaphorically another episode in that drama that perfectly fits into the realms of a Shakespearean tragedy. But even then, the start and the eventual unfolding of the Hutu ``democratic revolution of 1959`` was not without violence. It is violence that sealed each move towards the higher consolidation of the Hutu political rise. Gerald Pruner informs us that the murder of a Hutu Sub-Chief, Dominique Mbonyumutwa, who was a strong promoter of the PARMEHUTU party, allegedly slain by the youthful members of the Union Nationale Rwandaise (Rwandese National Union), UNAR,³¹⁰ was the tipping point that started off the revolution of 1959, which in its ideological orientation was aimed at promoting the political power of the Hutu majority.

The murder of Dominique was followed with a series of attacks and counter-murders targeting the Tutsi Chiefs and the members of UNAR. This violence was highly ethnicised that even the ordinary Tutsi put by Gerald Pruner as the ``petits Tutsi`` faced the wrath of the Hutu activists as their houses were burnt. The Mwami (read King) and the UNAR, we are told by Prunier, mobilised commandoes to revenge against the Hutu.³¹¹ A symphony of ethnic destruction was in the offing. So, when Mamdani tells us that violence was just a concomitant of the insurrections by the Tutsi that were directed to the Hutu elites on their rise to political dominance, then, he may be right only to the extent to which the violence was not or did not reach the extent of the blood baths that followed the month of November, 1959 reaching climax with the genocide of 1994

³¹⁰ Prunier, *The Rwandan Crisis*, 1995.

³¹¹ Prunier, *The Rwandan Crisis*, 1995, 49. Also see Mamdani, *When Victims Become Killers*, 2007, 123, and Melvern, *A People Betrayed*, 2009, 16-17.

2.1.3 Post-Colonial Rwanda: ``a walk in the night``.

The point which this section makes is that: the post colonial state in Rwanda was structured in a way that was meant to promote the survival of the Hutu majority, in terms of access to human needs that guarantee human security and this was done at the expense of the Tutsi who had hitherto been the darling of the colonialist. It was a move towards addressing the historical injustices against the Hutu. To the Tutsi it was a somewhat reversal of fortune, and political points had to be literally scored through incursions into Rwanda against the Hutu regime of Habyarimana. A process of *conflict-continuous* was still under-way with Human security concerns at the centre of the system of things.

Retrospectively, the story of the structuring of violence in the Pre-colonial Rwanda ended with the emergence of *Ubureetwa*, a client-ship scheme on land that made the Hutu serfs on land for they had to offer their labour for their continued stay on the land of the chief. There was also the *Ubugake* clients-ship which was related to cattle, but emphasis has been put on the *Ubureetwa* for it was very much related to the issue of land and its distribution, yet land was pivotal to the survival of the Banyarwanda; be they pastoralist or cultivators.

The story of the colonial state in Rwanda was punctuated with sustenance of the *Ubureetwa*, in addition to other colonial agrarian schemes inter alia, forced crops, forced sales, and forced public labour, *akazi*, coupled with other taxation schemes. *Ubureetwa* in the pre-colonial times were imposed onto the Hutu by the court (the monarch), and the colonial policies though at first a creation of the Germans and later the Belgians, their implementation, which required ruthlessness, was in the hands of the central court, with the chiefs as the administrators of the policy prescriptions. It should also be emphasised that colonialism sustained the Tutsi leadership and institutionalised its monopoly over power through the use of the mythology of the superiority of the Tutsi people, who were

then constructed as the natural leaders of Rwanda, but constructed as an alien minority who had successfully imposed their political power onto the native majority; the Hutu.³¹²

The objective for the construction of such a mythology was generally political. The colonialists thought that by sustaining the *status-quo* of Tutsi domination, as it was during the pre-colonial times, was to make their administration less costly and effective. They also managed to divide and rule the Rwandan society, and thwarted the wrath of the native which would have been unavoidable had they decided to directly execute their policies. The Tutsi were elevated to the level of the policy executioner, and even where traditionally a Hutu would rise to the chief hood, colonialism undid those prospects. As such, the burden of sustaining colonial interest literally lay on the Tutsi and the repercussion of implementing unpopular policies lay solely on the Tutsi; as the events that came at the end of colonialism indicated.

The Tutsi were literally the intended sacrificial lamb at the altar of colonialism. The struggle for independence by the Hutu, at least for the MDR-PARMEHUTU or *the Mouvement Democratique Rwandais/Patri du Mouvement et de l' Emancipation Hutu* (translation: Rwandaise Democratic Movement/Party of the Movement and Hutu Emancipation) was much a struggle against the Tutsi than the Belgians, and actually the latter managed to continue with their divide and rule policy in preparation for a continued relations with Rwanda even after independence. The Hutu Manifesto, the document that was cataloguing the independence demands of the Hutu demanded among other things; to free the Hutu from an: ``indigenous racial problem`` and the political, economic and social: ``monopoly which was held by one race, the Tutsi``.³¹³

Indeed the declaration which was referred to as ``Hutu Manifesto``, than ``Rwandan Manifesto`` depicted the extent of the racist vendetta between the Tutsi and the Hutu, and the divergences in the way the struggle for independence was perceived by the two groups; with the Tutsi looking at the struggle for independence as a way of getting rid of the Belgians and a return of the full central court control of the state of affairs in Rwanda; with the monarch even calling for national unity with a request to the colonial

³¹² See, Mamdani, *When Victims Become Killers*, 2007: Chapter four, for a detailed treatment of how the decolonisation process unfolded.

³¹³ See, Mamdani, *When Victims Become Killers*, 2007, 116.

government to ``... remove from the official documents the terms Hutu, Tutsi and Twa``.³¹⁴ This was a rather belated realisation of the danger that ethnic division posed to the legitimacy of the monarch, but a complete departure from the ``double liberation of the Hutu``, an ideology which entailed the independence of the Hutu from the alien Tutsi- cum -Belgian rule.³¹⁵ The Hutu, in their manifesto of 1957 were demanding for majority rule which meant doing away with the Tutsi oligarchy.³¹⁶ The Belgians thus began favouring to the Hutu who were the majority and thus most likely to dominate the democratised political landscape. The Belgians were scheming ahead of time.

The Belgians wanted a kind of independence that was: ``in line with (the) imperial notions of harmony of interests in postcolonial Africa``, and thus prudent for them to promote the ``moderate`` Hutu to be at the vanguard of the independent Rwanda.³¹⁷ The promotion of the Hutu dominance was a result of the perception of the Tutsi elites as being inclined to communism,³¹⁸ and the calculated sidelining of the Tutsi by the Belgians was manifested in the way the Belgian authorities countenanced the burning of Tutsi houses during the November 1959 revolution and the resultant arrests of more Tutsi than the Hutu, 919 Tutsi and 312 Hutu. To give topicality to his allegation that the Belgian authorities countenanced the 1959 revolution and its violent manifestations, Gerald Pruner quotes the Belgian Colonel Guy Logiest saying:

Some among my assistants thought that I was wrong in being so partial against the Tutsi and that I was leading Rwanda on a road towards democratisation whose end was distant and uncertain³¹⁹

Aware of the democratic power configurations of the decolonisation process, which tended to favour the majority, the state capacity of the decolonising state in Rwanda was reconfigured in the favour of the Hutus. The structure of violence against the Tutsi

³¹⁴ Mamdani, *When Victims Become Killers*, 2007, 119.

³¹⁵ Mamdani, *When Victims Become Killers*, 2007, 103-104.

³¹⁶ Melvern, *A People Betrayed*, 2009, 15.

³¹⁷ See Mamdani, *When Victims Become Killers*, 2007, 103. Also see, Pruner, *Rwandan Patriotic Front*, in, Christopher Clapham, ed., *African Guerrillas* (James Currey, Oxford,, ISBN 0-85255-815-5, 1998)., in which he discusses how the 1959 revolution led to a refugees problem; where many Tutsi fled Rwanda, but latter to constitute themselves into refugee warrior communities which subsequently led to the emergence of the Rwanda Patriotic Front that took power from the ruins of the genocide of 1994.

³¹⁸ Prunier, *The Rwandan Crisis*, 1995, 47.

³¹⁹ Pruner, *The Rwandan Crisis*, 1995, 49.

became more concretised and institutionalised. It has been said that the racialisation of violence that punctuated the decolonisation process in Rwanda was unprecedented in the history of the decolonisation process.³²⁰ The body-politics of Rwanda changed drastically and indeed; yesterday friends became today's enemies, and yesterday's enemies became today's friends, thus satisfying the logic of T.S. Eliot as precisely captured in opening quotation given to this Chapter. The Tutsi elites were discarded by the Belgians and even their influence within the Catholic Church was systematically reduced by the European priests. It was a calculated move towards Hutu power, which Prunier would later put as ``ethnic transfer of power``. It was ``ethnic transfer of power`` with a new Belgian system of administration dubbed ``bourgmestres`` and the changes were very swift; that of the two hundred twenty nine (229) communes; out of the 229 burgomasters, one hundred sixty (160) were members of the Hutu party (PARMEHUTU); with only nineteen Tutsi.³²¹ It is that system of things that made Colonel Logiest, the Military leader³²² of the colonial Rwanda to declare that: ``(T)he revolution (was) over``,³²³ and David and Catherine Newbury refers to the Revolution of 1959 in Rwanda as: ``...one of the few meaningful social transformations to accompany decolonialisation in Africa....``³²⁴ But to what extent was such a revolution meaningful. Probably it was meaningful because over because even the Tutsi monarch was finally overthrown and replaced with a Hutu leadership. What was emerging was a move towards ``Hutu Power``³²⁵, and the institutionalisation of ethnic violence and state capacity was aligned in that manner as seen in the restructuring of the administrative set-up in favour of the Hutu.

All the instruments of state-capacity were strategically reconfigured to reflect the political hegemony of the Hutu. It is noted that even the military as an instrument of state control was mostly staffed by the Hutu as the independence of Rwanda was drawing

³²⁰ Lemarchand, *Rwanda and Burundi*, 1970, 145-170. Also see, Rwandese Patriotic Front, June 1994, 4-5.

³²¹ Prunier, *The Rwandan Crisis*, 1995, 52.

³²² After the intensification of violence, Melvern, *A People Betrayed*, 2009, 17, tells us that Rwanda was put under Military, with Colonel Guy Logiest coming to Rwanda with a detachment of Force Publique soldiers and Belgian paratroopers from the Belgian Congo State.

³²³ Prunier, *The Rwandan Crisis*, 1995, 52.

³²⁴ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 840.

³²⁵ Mamdani, *When Victims Become Killers*, 2007, 126, uses the word ``Hutu Power`` to connote what he calls the tendency that emerged during the ``Hutu Revolution`` of the late 1950s with agitations for Hutu political, social and economic hegemony, pitted against ``Tutsi Power`` a mentality held that power was a traditional preserve for the Tutsi.

nigh. Of the 650 native military guards, 85 percent were Hutu with only 15 percent Tutsi.³²⁶ This meant that the most important elements of the state infrastructure; the military and the bureaucracy were now in the hands of the Hutu thus guarantying their political dominance even after independence. A ``social revolution`` was now complete.³²⁷ The Tutsi elites lost all the privileges of power including the unfettered access to land and free labour. All the issues that were considered as the source of Tutsi privilege and sources of Hutu grievance were undone. The *Ubureetwa* and *Ubugake* were abolished. In other words land relations changed that when the Tutsi exiles decided to start an insurrection in the quest for a return to power; it was not only met with a strong counter-insurrection from the Belgians and the Hutu elites, but the Tutsi who were in Rwanda became the victims of repression from the Hutu elites who were now at the centre of power. Tutsi property in some areas was confiscated and given to the Hutu that even when the United Nations called for a reconciliation of the warring factions; by issuing the December 1960 UN Resolutions number (No.) 1579 and 1580, the call was quickly dismissed as ``perfectly useless`` by Colonel Logiest, after all the trend of events were moving well in favour of the Belgian authorities.³²⁸

The Hutu elites were determined to consolidate their power and they sternly resisted any attempt, either real or imagined against their power. Even the Tutsi who were reconciliatory enough to accept to be part of the coalition government which was formed at the eve of independence lost their lives in unclear circumstances. The social, economic and political landscape of Rwanda was systematically tilted in the favour of the Hutu against the Tutsi. Indeed, nothing could be done to reconcile the Tutsi and the Hutu, and the United Nations Report of the United Nations Trusteeship Commission Report of March 1961 as quoted by Prunier perfectly predicted thus:

``It is quite possible that someday we will witness violent reactions on the part of the Tutsi``.³²⁹ ``

³²⁶ Mamdani, *When Victims Become Killers*, 2007, 124.

³²⁷ Melvern, *A People Betrayed*, 2009, 17, uses the phrase ``social revolution`` to depict the move by the Belgian authorities to replace Tutsi chiefs with Hutu chiefs in the administration of Rwanda.

³²⁸ Prunier, *The Rwandan Crisis*, 1995, 53.

³²⁹ *Ibid*, 1995, 53.

Indeed, the period which immediately preceded the post-colonial period, entrenched political and social vengeance of the Hutu against the Tutsi and violence became part of the body-politics of the Rwandan state. The structure of violence was now clear, the inequity in the distribution of human needs like land; which guarantee human security, saw Rwanda going through a somewhat symphony of turmoil.

Ethnicity, which was constructed by colonial agents, particularly the missionaries, was manipulated by the Hutu elites at the advent of independence and after. The Hutu peasants who had suffered the wrath of Tutsi chiefs enthusiastically joined the struggle and overwhelmingly voted at the margin of 70.4 percent for the Hutu PARMEHUTU Party in comparison to the 1.7 percent for UNAR, a monarch inclined party, during the communal elections of 1960. This was a somewhat referendum against the monarch. They fervently voted against the monarch, and when the monarch was abolished on the 28th of January 1961, the news was enthusiastically received by the majority Hutu who gathered at the town of Gitarama.³³⁰ The Hutu peasants, their grievances, which Linda Melvern refers to as ``rural anger``,³³¹ though genuine, they were manipulated by the Hutu elites who elevated them to the metaphysical level of ethnic grievances of the Hutu against the Tutsi elites. But these grievances were not limited to only the Hutus, though the *Ubureetwa* were specifically targeting the Hutu communities. Their economic security which is a core aspect of the UNDP definition of Human Security, their food security, their personal security, among other securities were undermined by the Tutsi elites of the Central Court who were serving their Belgian colonials. The Hutu may have forgotten the whipping that was subjected to them by the Tutsi chiefs as they enforced cash cropping and communal labour, but they could not forget the confiscation of their land, their primal existence by the Tutsi chiefs more so in the annexed areas of North-western Rwanda.

So, the independence struggles, and the struggles for power among the two warring groups; Hutu and Tutsi in Rwanda appeared to suggest that the Hutu struggle for independence was more against the Tutsi elites than against the Belgians. Memories of servitude that dated to pre-colonial times to colonial times were viewed as the evils which

³³⁰ Mamdani, *When Victims Become Killers*, 2007, 124.

³³¹ Melvern, *A People Betrayed*, 2009, 6.

the independence had to do away with. Land relations among the Hutu and Tutsi defined the trend of events for they had served to portray the superiority of the Tutsi and the inferiority of the Hutu. The revolution of 1959, guided by the famous Hutu manifesto, wanted to undo that scheme of things. Violence became a means of consolidating the political power of the Hutu.

The preservation of the Hutu was high on the agenda of the Post-Colonial state in Rwanda. Indeed even the Hutu second Republic continued on the same agenda of liberation of the Hutu as far as his securities were concerned. The Tutsi had to fend for them-selves either by going to exile or keeping silent about matters of politics. Whenever Tutsi exiles tried to wage an insurrection against the Hutu elites in Rwanda, violence was unleashed onto the Tutsi in Rwanda as a way of threatening the insurgents.³³² It is not a moment to isolate when we read that when the Tutsi insurrections; inyenzi, directly translated as cockroaches, attacked from Burundi, almost taking over Kigali on the December of 1963, the Kayibanda regime unleashed a considerable measure of repression against the Tutsi that approximately ten thousand (10,000) Tutsis were killed including almost a complete extermination of the Tutsi politicians who had remained in Rwanda.³³³ Other sources put at 25,000, the number of the Tutsi who died as a result of the violence which followed the attack on Rwanda by the Tutsi insurrectionists.³³⁴ We are told by Mamdani that there was an: ``enthusiastic popular participation`` with a call: ``(We) are expected to defend ourselves. The only way to go about (it) is to paralyze the Tutsi. How? They must be killed``.³³⁵ Accordingly, approximately 200,000 Tutsi left Rwanda within the four years after the 1959 revolution in the quest for a safe haven to escape the persecution and discrimination.³³⁶

³³² See, Straus, *The Order of the Genocide*, 2006, 25.

³³³ C.f. Pruner, *The Rwandan Crisis*, 1995, 56 and Mamdani, *When Victims Become Killers*, 2007, 130 for a detailed analysis of what transpired after the inyenzi invasions of November and December 1963, and the number of the Tutsi who were killed .

³³⁴ Nester Notker Luanda, *The Carnage in Rwanda Refracted through the Media*, University of Dar es Salaam, May 1995:9, unpublished paper.

³³⁵ Mamdani, *When Victims Become Killers*, 2007, 130, quoting Lamarchand, *Rwanda and Burundi*, 1970, 223-224.

³³⁶ Jibrin Ibrahim, *The Narcism of Minor Difference and the Rise of Genocidal Tendencies in Africa: Lessons from Rwanda and Burundi*, a Paper Presented at a conference, Crises, Conflicts and Transformations: Responses and Perspectives, Council for the Development of Social Science Research in Africa, 26 June-2 July, 1995, 13.

Mobilisation for group violence was done against the backdrop of avoiding a return to the past, which entailed: denial of access to land, state employment, among others; and violence was not just political, but also ethnic in nature. The Hutu population was constantly mobilised by the Hutu elites against the Tutsi population; under the guise that reverting to Tutsi political power would mean a return to oppression reminiscent of the times of the monarchy. Hutu mass fear of the return to the exploitation they had gone through during the days of the central court control, coupled with the manipulation of that fear by the Hutu elite; saw the Hutu masses: ``...armed with spears and clubs, (where) a group of Hutu started to kill every Tutsi in sight--men, women and children``, when they heard on the radio that: ``...a Tutsi plot was under way to enslave them``, following the 14th November attack of Kigali by the Tutsi insurrectionist from Burundi.

³³⁷ Nothing would have reconciled the Tutsi with the Hutu. It is no wonder therefore that the L' Association pour la Promotion Sociale de la Masse, generally a Hutu party but with a promise to promote Rwanda nationalism, and to reverse colonial political identities;³³⁸ did not gain much appeal among the majority Hutu whose interest was to completely do away with Tutsi dominance. This brings-in the refugee phenomenon in the historical nature of violence in Rwanda, for the Tutsi refugees as a result of the 1959 revolution continuously waged attacks on the government and the government resorted to mobilising group violence against the resident Tutsis as a way of threatening the insurrectionists. It is the fear of the same insurrectionist tendencies of the Tutsi, this study argues; which were strongly opposed militarily to the Hutu Habyarimana government that saw the 1994 genocide, again, as a way of scaring of the advancing Rwanda Patriotic Front.

A return to the insecurities of the *Ubureetwa* and *Ubugake* and other forms of oppression was unthinkable and had to be resisted. The human insecurities of the Hutu masses, owing to what they had gone through made: ``... the local population, (used) whatever arms (which)were available, mostly hoes and pangas, the long knife for cutting grass`` to mime and kill every Tutsi they came across. We are told that at Shingira, an area near Congo, many Tutsi women and their Children drowned themselves, committing suicide

³³⁷ Melvern, *A People Betrayed*, 2009, 20.

³³⁸ Mamdani, *When Victims Become Killers*, 2007, 123.

in order to escape the painful death from Hutu mobs.³³⁹ Racial hatred was politicised, used as a measure of ensuring political survival for the regime.³⁴⁰ Had the regime concentrated on a development that would guarantee equal opportunities for all Rwandans, but at the same time concentrating on its military security, carnage may have been avoided. Weaknesses in the state-capacity of Rwanda during Kayibanda's reign; in ensuring human and state security saw bouts of violence. Denis Vuillemin, a Belgian academic who was working with the UNESCO resigned his position in protest of the way the Belgians had countenanced the massacres and was later to comment as paraphrased by Melvern thus: ``Kayibanda's regime was increasingly bigoted and racist'', he wrote: ``the government, instead of organising development programmes, was doing nothing more than encouraging racial hatred. ``³⁴¹

Every Tutsi was portrayed as having been part of the historical injustices against the Hutu and therefore never secure unless the Hutu were secure in their enjoyment of the privileges that had come to them as a result of the downfall of the monarch. Indeed, we are told that between October 1972 and February 1973, following the massive killings of the Hutu by the Tutsi regime in Burundi, observant committees which were known as *Comites de Salut Publique*, were formed by the authorities in Rwanda to monitor the ethnic quota policy in schools, University, Civil Service, and private sector; to ensure that most of the benefits accrued to the Hutu population. It was Hutu preservation and Tutsi destruction.³⁴² Melvern informs us that at Butare, Hutu students had to form tribunals: ``...to check the bloodiness of students to determine the `pure Hutu`, and later unleash torture with `iron bars` on the Tutsi students.³⁴³

Meanwhile, whereas the state Capacity of the colonial state, at the dawn of independence in Rwanda; was geared towards political inclusion of the Hutu and the exclusion of the Tutsi, even after independence, the post-colonial Kayibanda government determinedly pushed for that agenda. All resources were marshalled and husbanded to creating an

³³⁹ Melvern, *A People Betrayed*, 2009, 21.

³⁴⁰ Straus, *The Order of the Genocide*, 2006, 130-134.

³⁴¹ *Op. cit.*, 2009, 23.

³⁴² Pruner, *The Rwandan Crisis*, 1995, 60. Also see, Rwandese Patriotic Front, June 1994 (unpublished), for a detailed discussion of the violent outcome of the political power reconfigurations that saw the rise of the Hutu to the reins of power and the violent discrimination of the Tutsi.

³⁴³ Melvern, *A People Betrayed*, 2009, 25.

administration that was tightly controlled and directed to promoting and conserving the political interests of the Hutu elites but ridding on the historical injustices which the Hutu masses dreaded during the days of Tutsi dominance.³⁴⁴ We are told that the Kayibanda regime had a measure of: ``deliberate remoteness, authoritarianism and secretiveness``.³⁴⁵ The regime was also highly manipulative; playing one group against the other. The ex-Nyakibanda seminarians were played against the Astrida graduates. The Gitarama clansmen of Kayibanda were played against Butare and Ruhengeri, and the Northern ``abakonde`` were played against the so called ``Butare Mafia``. We are told that the President, Kayibanda who championed the downfall of a patrimonial monarchy became a neo-patron of a special kind; with all the powers to make appointments, from the highest position to the lowest position of administration in the land, and his patronage was punctuated with corruption, favouritism³⁴⁶ and a high level of a lopsided kind of ``ethnic arithmetic``, to borrow the Mazruiana semantics; that was in favour of mostly the Hutu of central Rwanda. We are told that the Kayibanda years destroyed the monarchical order of the Tutsi, but to usher in the somewhat ``Central Rwanda Hutu monarchical order``, and Gerald Prunier finds it appropriate to refer to Kayibanda as the ``mwami of the Hutu``;³⁴⁷ meaning the King of the Hutu.

Even the judicial capacity, as a strand of state capacity of Rwanda during the reign of Kayibanda was tailored to political survival through manipulation of popular grievance which popular grievance obtained from human insecurities like unemployment. As such, whenever Kayibanda's government was being threatened by the Hutu masses as it was with the criticism against him that he had failed to live up to the promises of the revolution, as he failed to guarantee educational and employment opportunities for the Hutu, he resorted to exploiting the judicial capacity leverages of his position and passed a law decreeing the complete nationalisation of education institutions so that admissions, content; what was being taught and employment in the educational sector was controlled

³⁴⁴ Mamdani, *When Victims Become Killers*, 2007, 106-107, notes that the ``Hutu counter-elite tapped the grievances of the Hutu peasantry to attain their political goals of usurping power from the Tutsi elites.

³⁴⁵ Prunier, *The Rwandan Crisis*, 1995, 57.

³⁴⁶ See, Prunier, *The Rwandan Crisis*, 1995, 58, Odonga, *Rwanda and Uganda: Post-War Prospects for Regional Peace and Security*, Academic Freedom, Social Research and Conflict Resolution in the Countries of The Great Lakes, Council for the Development of Social Sciences Research in Africa, 1995:17-18.

³⁴⁷ Prunier, *The Rwandan Crisis*, 1995, 57.

by the government. Indeed following the mass murder of the Hutus in Burundi by the Tutsi dominated army in Burundi in 1970s; the Kayibanda regime, having been threatened that such a phenomenon may have had spill-over effects in Rwanda, he countenanced the blacklisting of the Tutsi students and the Tutsi in gainful employment by the Hutu students and lay youths, whose mobilisation against the Tutsi gained massive broadcast on Radio Rwanda, calling for the complete decimation of the Tutsi.³⁴⁸

Violence against the Tutsi was administratively organised and executed. State capacity was directed to but one important goal: sustenance of Hutu power. However, it is his attempt to play one group against another that consequently played against Kayibanda; a scuffle ensued between the Southern and Northern Hutu politicians and their gangs ``vigilante committees``, that had hitherto engaged in terrorising the Tutsi minorities. Power was in the hands of the Southern Hutus and used to subject the Southern Hutus to social inequity.³⁴⁹ The Hutu factions started preying on each other; divided along south-northern Hutu arithmetic.³⁵⁰

As such the senior army commander, Juvenal Habyarimana, whom Melvern tells us was in charge of the anti-Tutsi campaign during Kayibanda`s regime; counting on the reliable support of his kinsmen from Northern Rwanda especially the ``abakonde``, who had been marginalised for so long, staged a coup against Kayibanda on the 5th of July 1973.³⁵¹ Again; flawed state-capacity, that had concentrated on divide and rule, instead of forging national unity and development that would have ensured the survival concerns, human securities of all citizens, undermined the existence of Kayibanda`s government. Improvidence on the side of government as regards employment and the means of production like land, coupled with a service delivery approach bloated with regionalism; with the Central Hutus reaping more saw the downfall of the Kayibanda regime in Rwanda.

As a way of mobilising the Hutu masses, Kayibanda`s northern Hutu adversaries instead of criticising him for regional discrimination, they ethicised their grievances against him,

³⁴⁸ See Mamdani, *The Rwandan Crisis*, 2007, 136-137.

³⁴⁹ See, TD Kigali 111, March 12 1990.

³⁵⁰ Odonga, *Rwanda and Uganda*, 1995, 17.

³⁵¹ Pruner, *The Rwandan Crisis*, 1995, 61.

criticising him of being lukewarm in his attitude towards the Tutsi, and his failure to guarantee the Hutu unfettered access schools, employment; issues generally related to economic insecurity.³⁵² The economic insecurities of the Hutu masses more so those from Northern Rwanda who had been sidelined by the Kayibanda government in favour of those from the central region, and his failure to guarantee the unfettered access of the Hutu to education and employment, part of the promises of the 1959 revolution, were again manipulated by the Habyarimana clique to win mass support; something which made his coup d'état of 5 July 1973 a success.³⁵³ This outlines three important issues; that the youths were at the vanguard of executing racial violent reactions against the Tutsi, and enthusiastically supported the final coups d'état against Kayibanda, that Wherever the existence of Kayibanda's regime was threatened internally by its improvidence to the people or externally by the Tutsi insurrectionists, recourse was made to racial gimmicks through increased marginalisation of the Tutsi or inciting the masses against the Tutsi as being responsible for popular grievance like unemployment and lack of educational opportunities, and that human insecurity concerns, like lack of access to educational and employment opportunities were manipulated by Kayibanda's opponents to mobilise the youth for political action against his government.

So, the fear of losing the gains made in access to human needs like unfettered access to land and employment that guarantee human security, which supposedly would have come with a revert to Tutsi political control, made the Hutu masses, especially the youth, easy to manipulate by the Hutu elites; to join into the violent frenzy against the Tutsi. The Hutu elites were using the racialisation of the insecurities of the Hutu masses to mobilise for political support against their power competitors; the Tutsi.³⁵⁴ We are told that race³⁵⁵ was a measure that was constantly invoked whenever the regime of Kayibanda was

³⁵² See, Newbury and Newbury, *A Catholic Mass in Kigali*, 1999, 298, also Mamdani, *When Victims Become Killers*, 2007, 136 writes how lukewarm Kayibanda's regime was in executing the discrimination policy against the Tutsi. He notes that whereas the government policy required a 10 percent enrolment of the Tutsi in tertiary institutions, at the fall of the 1960s, Tutsi enrolment at the University was approximating 90 percent. This is because educational institutions were largely in the hands of the church until a law was established in 1966, putting educational control in the hands of government.

³⁵³ See, Mamdani, *When Victims Become Killers*, 2007, 137-138.

³⁵⁴ *Ibid.*

³⁵⁵ Mamdani, *When Victims Become Killers*, 2007, 134, notes that during the reign of Kayibanda, the Tutsi were treated as a "race", an alien group of people who came to Rwanda and imposed themselves onto the indigenous people, the Hutu. But to the contrary during Habyarimana's Rwanda, the Tutsi were viewed as a minority ethnic group with no political rights.

threatened by economic, political, demographic and external challenges.³⁵⁶ It was a political tool than a political problem to the regime, and problematising it would have meant devising measures to thwarting ethnicity something that was not in the interest of the regime.

Whereas the majority Hutu remained walloping in their poverty, the ``Rwandaise ideology`` that rotated on the philosophy of ``rubanda nyamwinshi`` (the great mass) as opposed to the ``inyenzi``, ``inkotanyi``, ``the minority Tutsi`` as encapsulated in the populist ``Hutu manifesto``; made the unsuspecting ordinary Hutu to become the: ``battle-axe against a mixed body of Tutsi``.³⁵⁷ We are told that when the Tutsi insurrectionists made an attempt on overthrowing Kayibanda's government from Burundi on November, 14, 1963, the administrative capacity of the state was tasked to mobilise the Hutu masses to unleash violence on the Tutsi.³⁵⁸ In the Southern prefectures, all the Prefects ordered the bourgmestres to mobilise and direct the peasants in how to decisively diminish the enemy: the Tutsis. Melvern asserts that the government Radio in Kigali broadcasted threatening messages of the eminent re-enslavement of the Hutu by the Tutsi. She writes thus:

``The killing was done by the local population, using whatever arms were available, mostly hoes and the panga, the long knife for cutting grass``.³⁵⁹

The Hutu masses were hoodwinked into thinking that even in poverty, fear and squalor, they were more dignified in their being part of the ``rubanda nyamwinshi``. They thus fell prey to the manipulation of the Hutu elites; who constantly mobilised them to prey on their Tutsi neighbours by burning their houses whenever the regime was threatened of a Tutsi insurrection.

So, it is a contention of this study that the mobilisation of the Hutu masses to participate and countenance either the extermination of their Tutsi ``neighbours`` or to loot and destroy their property was a result of the regime mastering the art of diversionary ethnic

³⁵⁶ Mamdani, *When Victims Become Killers*, 2007, 135-138.

³⁵⁷ Pruner, *The Rwandan Crisis*, 1995, 50.

³⁵⁸ Mamdani, *When Victims Become Killers*, 2007, 135.

³⁵⁹ Melvern, *A People Betrayed*, 2009, 20-21.

politics; reminding the Hutu masses that even in their suffering it was better than when they were being under the Tutsi persecutions, thus:

President Kayibanda's Rwanda was a land of virtue where prostitutes were punished, attendance at mass was high, and hard-working peasants toiled on the land without asking too many questions³⁶⁰

The ordinary Hutu acquiescently followed their leadership as a guiding star. The servitude of the Hutu during the time of the Tutsi monarch was a piece of history that was occasionally cited by the Hutu elites whenever they felt that their existence was threatened by a Tutsi insurrection. This system of things continued even after colonialism.

³⁶⁰ Pruner, *The Rwandan Crisis*, 1995, 59.

2.1.4 Post-1959 Revolutionary Rwanda: ``calamity has come on you my brethren and my brethren you deserved it``.

It should be emphasised that ethnicity was not the problem in Rwanda, but rather the issues which made ethnicity problematic. Ethnicity may not have been important if the political, economic and social processes had not problematised it. Newbury and Newbury informs us of the two levels of ethnicity; as an identity and as a political force through which political mobilisation is done, and that ethnic identity is a product of history, with ethnic categorisation varying overtime. Whereas ethnicity as an identity is a social construct, ethnicity as a political force is as a result of political fabrication. The relationship between ethnicity and the genocide in Rwanda was a result of ``political fabrication``, ``ethnic policy into action``, a move devised by the Hutu power elite for political survival. The revolution of 1959 placed ethnicity within the framework of political mobilisation and the Habyarimana regime revisited the framework when its existence was threatened.³⁶¹ As such, the genocide cannot be attributed to just ``ethnic hatred``, but rather to the issues that made ethnic violence to look like an easy escape route.

More often, the analysis of the Rwandan society starts with the genocide and the civil-war that started in 1990, as if to suggest that in Rwanda, everything rotated on a somewhat genocide pivot. Figuratively, the pivot on which the genocide wheel rotated is more than just Hutu-Tutsi hatred for not all Hutus participated in the genocide. Catherine Newbury and David Newbury note that there has been a lot of stereotyping when it comes to Rwanda and Rwandans, with the mistakes of members of the two ethnic groups being extended to all members of those groups, Hutus as ``genocidaires`` and the Tutsis as ``ruthless power-seekers``.³⁶² Many Tutsi were not concerned with power and indeed many Hutus did not only refuse to participate in the genocide, but went ahead to oppose it, hid and protected the Tutsi. Two stories suffice to show how some Hutus protected the Tutsi against persecution. Indeed some of them even lost their lives as they were branded ``Traitors``. The story of Alphonse-Marie Nkubito, a Hutu state prosecutor

³⁶¹ Newbury and Newbury, *A Catholic Mass in Kigali*, 1999, 313.

³⁶² *Ibid*, 1999, 294.

in Habyarimana's government who refused to prosecute the Tutsi who had been arbitrarily arrested in 1990³⁶³, and that of:

``A Hutu man who had a shop near us (,) hid us in a house that he was constructing. He was wonderful. He hid us in his ceiling for 18 days (!). We never had to descend because he did everything for us (sic). ``³⁶⁴

What structured the violence that led to the genocide is what the study grapples with at this point; for:

.... why extremist appeals found receptive audience, in particular contexts, if we are to understand the roots of these conflicts—and especially to understand the genocide in Rwanda in 1994. In particular, we need to take account of the underlying social, economic, and political conditions which interacted to create a volatile situation. ³⁶⁵

This study focuses on human security and state capacity concerns and how they were part of complex genocide structure.

Noteworthy is that all the issues that structured the violence that culminated into the genocide cannot be discussed within the confines of a single research agenda for they were as complex as the genocide itself. Many authors have wondered: Why did people participate? Catherine Newbury tries to summarise the answers to that question as: ``fear, greed, and propensity in this hierarchical society to follow administrative directives.``³⁶⁶ The findings of Scott Straus as far as what made the execution of the genocide possible seems to resonate in various ways with what Catherine Newbury advances, though with a more touch of analytical breadth, but the issue of the meticulously organised administrative structure, with a clear hierarchy to allow a chain of command which lubricated the genocide; is central to Straus analysis of the genocide experience, that is Rwanda. Indeed, Scott observes that Rwanda's administrative structure had five levels: the national government, the prefectures, the communes, the sectors, and cellules, and

³⁶³ Newbury and Newbury, *A Catholic Mass in Kigali*, 1999,295.

³⁶⁴ Richard Ssewakiryanga, *Violence and Politics of Gender Identity in Rwandan Genocide* (Journal of Cultural Studies, vol.2 No.1, 2000):109, citing the African Rights, 1995:132.

³⁶⁵ Newbury and Newbury, *A Catholic Mass in Kigali*, 1999, 295.

³⁶⁶ Newbury and Newbury, *A Catholic Mass in Kigali*, 1999,295.

sub-cellules, referred to as *Nyumbakumi*, translated as ‘‘ten households,’’ in some areas.

³⁶⁷ This ensured the presence of the state even at the lowest and remotest level of the Rwandan society. It is no wonder therefore that commands about the execution of the killings which culminated into the genocide echoed from hill to hill. The administrative capacity to coordinate and execute the genocide was uncompromising, and that many were forced to kill by the machinery of the state. Mamdani writes thus:

The administration forced Bahutu men to kill their Batutsi wives before they go to kill anyone else—to prove they were true *interahamwe*. One man tried to refuse. He was told that he must choose between the wife and himself. He then chose to save his own life. Another *Muhutu* man rebuked him for having killed his *Mututsi* wife. He was also killed. Kallisa – the man who was forced to kill his wife—is in jail. After killing his wife, he became a convert. He began to distribute grenades all round.³⁶⁸

In retrospect, Kayibanda’s government fell on 5 July 1973. The failure to ensure the providence of human needs which would guarantee the meaningful survival of the Hutu was part of the mix of the reasons that saw the overthrow of his regime. The revolution that saw the ascendancy of Kayibanda to power; though perceived as a majoritarian one, with popular appeal, its outcome, if analysed in the context of violence in Rwanda, has been a subject of debate. Mahmood Mamdani criticises those who dismiss the revolution as; just ethnic transfer of power arguing that the Kayibanda government would not have gained and retained political power with complete disregard of the concerns that the revolution stood for. He delineates some of the social achievements of the revolution and Kayibanda’s government; arguing that *Ubureetwa* (forced labour) was suspended, and *Ibikingi*, private pasturage land for the Tutsi elites, was distributed to the landless.³⁶⁹

However, the achievements of the revolution notwithstanding, the Kayibanda regime politically radicalised racial differences between the Hutus and Tutsis by engaging in a somewhat ring fencing of all political positions for the Hutus. We are told that whereas the Tutsi were allowed to participate in all civil areas, like the church, business,

³⁶⁷ See, Straus, *The Order of the Genocide*, 2006, 201.

³⁶⁸ Mahmood Mamdani, *From Conquest as the Basis of State Formation: Reflections on Rwanda*, New Left Review, ISSN-0028-6060; 216/1996.

³⁶⁹ Mamdani, *When Victims Become Killers*, 2007, 134.

education, and government employment; political leadership positions remained a preserve for only the Hutus, who considered themselves the natives of Rwanda and the Tutsi as aliens.³⁷⁰

Kayibanda also created regional divisions by politically and economically favouring the Hutu from the south and central Rwanda against the Hutus from the north.³⁷¹ Whereas the radicalisation of racism was later to undermine the general stability of Rwanda, the regional biases undermined out lightly his regime. Accordingly, Habyarimana who had allegedly been at the vanguard of the repression of the Tutsi instituted a successful coup. The professed reasons for the execution of the coup d'état were social and economic; with a claim that Kayibanda had failed in his providence of jobs and education; as the revolution of 1959 had promised to the Hutus. Mamdani writes that there were many educated but unemployed Hutus and many had dropped out of primary schools as a result of lack of school fees.³⁷² These are the reasons that Habyarimana's coup d'état based-on to literally attracted the enthusiasm of the masses to support the coup.

Plainly, employment, education and land are central to the survival of a human being and thus where they are not provided for; it constitutes a threat to the survival of the individual. If human security is precisely delineated as ``freedom from fear and want``, the unmet want for human needs translates into physical and psychological disorientation of the individual, which translates into fear and desolation. Such a scheme of things, more so those which affect the energetic youth, if well manipulated by political demagogues can be a recipe for massive popular violence. Mamdani writes that in Kayibanda's Rwanda:

³⁷⁰ Mamdani, *When Victims Become Killers*, 2001, 134, writes that Kayibanda's regime sustained the colonial construction of the Tutsi as an alien group that had come from elsewhere and dominated the Hutus who were the indigenous people of Rwanda. He thus notes that in the context of Kayibanda government, the Tutsi were a ``race`` as opposed to an ``ethnic group``. He teaches us that the word race applies to foreign people in another land, and the word ``ethnic`` groups applies to different groups among the natives.

³⁷¹ Catherine Newbury, ``Rwanda: Recent Debates over Governance and Rural Development``, in Goran Hyden and Michael Bratton, eds., *Governance and Politics in Africa*, Lynne Rienner Publishers, 1992, 197. Also see, Howard Adelman, *Why Refugees Warriors are Threats* (Journal of Conflict Studies, The GREGG CENTRE For the Study of War and Society, Vol. 18, No. 1, 1998).

³⁷² Mamdani, *When Victims Become Killers*, 2001, 135.

``... degree holders lacked employment, to which they no doubt felt entitled. The combination created a pool of agitators, ready to be tapped by an ambitious politician with a keen sense of fresh grievances. ``³⁷³

Mamdani adds that it is because of such concerns that the general population of Rwanda, including the Tutsi; enthusiastically welcomed the Habyarimana coup d'état. The concerns can ably fit into economic security which points to the seven elements of Human security as succinctly delineated in the UNDP report of 1994. Catherine Newbury and David Newbury note that the reasons for the Habyarimana coup d'état and the popular support it was received with were more of economic insecurity than ``blind ethnic hatred``. To them ethnicity was only used as a pretext.³⁷⁴ However the hypothetical assertion that the Tutsi welcomed the coup as a relief is farfetched because it is the same Mamdani that tells us that the coup was against the backdrop that Kayibanda's government was being lukewarm on the exclusion of the Tutsi. So what was the Tutsi enthusiasm about? Probably, it is because Mamdani delineates how the somewhat caveat that was put on the participation of the Tutsi in politics was a little lifted during the Habyarimana reign to the extent of having a Tutsi Minister: Andre Katabarwa who was appointed as part of Habyarimana's government as of June 1, 1974, and this was buttressed with the Tutsi in senior civil service positions and officer-ship in the army.

It is insinuated that the April 1980 coup attempt by Major Theonaste Lizinde, who was the security chief of Habyarimana, who is said to have been the epitome of hatred for the Tutsi and the in charge of security, was a result of the path to reconciliation of the Hutu and Tutsi which Habyarimana was taking.³⁷⁵ But this did not mean that exclusion had been done away with; because by October 1990, of the nineteen members of cabinet, only one was Tutsi, with only one ambassadorial position occupied by a Tutsi and with one Tutsi senior military officer and two Tutsi out of the sixteen members of the central committee of the ruling party, MRND.

³⁷³ Mamdani, *When Victims Become Killers*, 2007, 135.

³⁷⁴ Newbury and Newbury, *A Catholic Mass in Kigali*, 1999, 299.

³⁷⁵ See, *Op. cit.*, 2007, 140, and Prunier, *The Rwandan Crisis*, 1995, 84, for a detailed discussion of the Theoneste Lizinde coup attempt on Habyarimana's political power and the issues behind that issue.

The Tutsi were completely excluded from local administration; with only one Tutsi prefect of Butare, and in the military there was a regulation prohibiting soldiers from marrying Tutsi women.³⁷⁶ However, at factual level, there are some contradictions between the figures which Mamdani gives and those that Prunier gives when it comes to the political exclusion of the Tutsi during Habyarimana's reign. For instance, whereas Mamdani puts the number of Cabinet Ministers at nineteen, Prunier puts the number at between twenty-five and thirty. Also whereas Mamdani acknowledges that there was only one prefect in charge of Butare, Prunier tells us that there was none throughout the reign of Habyarimana. Probably they consulted different data sets, if not so, then, they are referring to different historical moments of Habyarimana's reign; if we are to go by the years they mention in the paragraphs that contain their analysis of the exclusion of the Tutsi; Mamdani mentions ``of 1990`` and Prunier mentions ``till 1980``.³⁷⁷

The seemingly glaring contradictions in facts notwithstanding, for they point to the same conclusion, inference can be made that the exclusion of the Tutsi from the core institutions of the state; the military and the local administration was later to serve as a somewhat conduit for the execution of the 1994 genocide. And even in central administration, one ministerial position was to say the least: meagre. So the functioning capacity of the state was exclusively reserved for the Hutu. Habyarimana's reconciliation rhetoric was more for cosmetic public relations than for real national unity utility, and this explains why the violence which culminated into the genocide was well coordinated and executed for there was a unity of purpose. Indeed, the security services, the Service Central de Renseignements (SDR), maintained files of information about individual citizens under the policy code named: Service de Recherches Criminelles et de Documentation (SRCD). The number of the spied on citizens is put at 44,000; majority of whom, we are told, were Tutsi. State capacity instead of thwarting and curtailing the structure of violence which subsequently led to the genocide; it instead entrenched and sustained that structure. It is therefore not surprising that the genocide of 1994 is written of; as one which was meticulously organised by the state agency.

³⁷⁶ Mamdani, *When Victims Become Killers*, 2007, 141. Also see, Melvern, *A People Betrayed*, 2009, 28, Prunier, *The Rwandan Crisis*, 1995, 75.

³⁷⁷ See, Prunier, *The Rwandan Crisis*, 1999, 75 para 2.

The State-Capacity of Habyarimana's government was meticulously organised to ensure tight control of society to maintain public order and the mobilisation of the masses. The Gendarmerie Nationale, a Police of a special kind, was instituted in 1976 and its principle role was to maintain public order, politically socialise people through civic education and engage in communal policing to monitor the people's behaviour. The legislative capacity of Rwanda was also not reformed. The colonial legacy of ethnicised identity cards was carried forward and strictly enforced through punishment of whoever attempted to change his classification from being a Twa, Tutsi or Hutu. One had to seek permission if he was to move from one prefecture of Rwanda to another. This kind of administrative capacity, we are told, portended the insecurity dilemma: the internal security challenges that preoccupied Habyarimana.³⁷⁸ Though the state concerned itself with development, its pre-occupation with what would pass for regime security was overwhelming. Gerald Prunier observes that the way the administrative structure of Rwanda was organised when it came to the issues of residence, that citizens had their places of residence written on identity cards and that it was very hard for one to change residence, looked like its: ``Administrative control was probably the tightest in the world among non-communist countries``.³⁷⁹ It is this administrative infrastructure, constructed to thwart any kind of internal dissidence, which was later to systematically execute the genocide of 1994.

However, it should be noted that the interests of Habyarimana and his associates in the execution of the coup were generally political. They wanted political power and the privileges that it came with, inter alia; unfettered access to state resources. The quest for political power was against the backdrop of the favouritism that was rife in Kayibanda's government. Kayibanda was heavily criticised for favouring the Hutus from the central against the Hutus from the North, more so when it came to political appointment. But Habyarimana was not a progressive positive reformer when it came to favouritism either, save for the fact that throughout his reign, until the attack from the RPF in 1990, there was no politically motivated violence against the Tutsi. It is for this very reason that Mamdani notes that Habyarimana was revered as ``the protector of the Tutsi``.³⁸⁰ Melvern quotes Habyarimana's Radio message of 5 July, 1973 that: ``We can no longer

³⁷⁸ See, Melvern, *A People Betrayed*, 2009, 28-29.

³⁷⁹ Prunier, *The Rwandan Crisis*, 1995, 77.

³⁸⁰ Mamdani, *When Victims Become Killers*, 2007, 142.

tolerate ethnic discrimination'', and that indeed the violence against the civilian Tutsis stopped.³⁸¹ Gerald Prunier observes that unlike during the days of Kayibanda, during Habyarimana's reign some Tutsi prospered in business and they remained in good terms with the government so long as they did not interfere with and in politics.³⁸² This underscores the view that ethnic animosity was always resorted to whenever the Hutu elites felt that their power was being threatened by the Tutsi. Indeed, the animosity between the Hutu of the North and the Hutu of the South was more pronounced during the reign of Habyarimana than the Tutsi-Hutu divide, but before the RPF attack. Indeed, when Major Theonaste Lizinde, from the south, attempted a coup against Habyarimana, the latter literally decimated all the revolutionaries from the south.³⁸³ It should however be noted that March 12 1990 the threat to the power of Habyarimana was not so much from the Tutsi, but rather from his own clan, the clan of his wife and ''that of his 'friends' from Ruhengeri''.³⁸⁴

State-capacity was aligned to the providence of human needs though in an iniquitous manner. A juxtaposition of Kayibanda's regime with that of Habyarimana brings out sharp contrasts. Importantly, Kayibanda concentrated on the politics of divide and rule which stretched from the complete exclusion of the Tutsi from politics to state providence bent on regional favouritism; with most of the political appointments favouring Kayibanda's kinsmen from central Rwanda against the Hutus from the North. At this point in time the Tutsi had been completely alienated from political participation and political providence. So, inequity in distribution human needs could only be construed within the parameters of the Central versus Northern Hutus, than the Hutu-Tutsi divide.

³⁸¹ Melvern, *A People Betrayed*, 2009:27.

³⁸² Prunier, *The Rwandan Crisis*, 1995, 76.

³⁸³ Mamdani, *When Victims Become Killers*, 2007, 141, Melvern, *A People Betrayed*, 2009, also notes that regional rivalry between the Hutu of the North and the Hutu of the South was more pronounced than the rivalry between the Hutu and the Tutsi during the reign of Habyarimana. She notes how Habyarimana excluded the Hutu of the South from his government; strikingly, of the eleven officers who led the coup d'état against Kayibanda, 10 came from the North and from Bushiru an area of the Gisenyi Prefecture where Habyarimana came from. Newbury and Newbury, *A Catholic Mass in Kigali*, 1999, 299, notes that in the 1980s Habyarimana directed his wrath against his political opponents from the south and that political assassination became rife. They note that it is only when the RPF waged it war against the regime in Rwanda that Habyarimana started targeting the Tutsi within the country.

³⁸⁴ TD Kigali 111, March 12, 1990.

Habyarimana did relatively the reverse; concentrating on development, and supposedly relaxing on the exclusion of the Tutsi from politics. We are told that whereas in Kayibanda's Rwanda the Tutsi were treated as a race (alien group of people) who were supposed to leave politics to the natives, in Habyarimana's Rwanda, they were treated as the minority ethnic group which was supposed to surrender its political fate to the majority ethnic group; the Hutu, and ethnic arithmetic, in terms of employment allocation, political appointments and educational opportunities, was applied in favour of the Hutu. Judicial and legal state capacity of Rwanda was structured in a way that enhanced the philosophy of ethnic arithmetic. When it came to employment and education, Mamdani puts the ethnic arithmetic during Habyarimana's reign as follows, we express it in the table below:

Table: 2

Ethnic Arithmetic in Habyarimana's Rwanda

Ethnic Arithmetic (%)	THE 1985 LAW ON EDUCATION	THE CIVIL SERVICE QUOTA SYSTEM
HUTU	85%	60%(Northern Hutu)
		40% (Southern Hutu)
TUTSI	10-15%	10%
TWA	1%	

Note: The data used in the table above is provided by Mamdani, *When Victims Become Killers*, 2007, 139, Chapter Five: *The Second Republic: Redefining Tutsi from race to Ethnicity*.

It was to put it metaphorically: sheer relaxation of the noose because policies that were aimed at uplifting the human security standards of the Hutus were more rigorous in terms of implementation and monitoring. Mamdani contends that Habyarimana put the country on national reconciliation process, but the reconciliation was paradoxical, as it sought to give the Hutu a somewhat affirmative action in institutions that were considered to be historically Tutsi dominated. The logic was to supposedly put the Hutu at par with the Tutsi who had long been favoured. The state capacity, the ability of the state to plan and

execute policies that were aimed at the amelioration of the life of the Hutu was meticulously done with a goal to: ``...overcome historical socioeconomic disequilibria in Rwandan society``.³⁸⁵ The justification for the policy orientation towards the favour of the Hutu was re-echoed by Premier Avocat-General Mubenzi while appearing before the African Commission on Human and Peoples' Right;, mentioning that the quota system was meant to amend what had gone wrong as a result of the: ``history of ethnic inequities``.³⁸⁶

Whereas Kayibanda instituted exclusionist policies; he was lacking in terms of the ability to implement and monitor those policies. Indeed, it is for that inadequacy, which this study has particularly metaphorically put as: tightening the noose against the Tutsi; that many Hutus were disappointed with his commitment to the concerns of the 1959 revolution.

Also whereas Kayibanda favoured the Hutu of central and southern Rwanda, Habyarimana favoured the Hutus from the North; leading to an emergence of the ``akazu``, a somewhat oligarchy which was dominating the affairs of Rwanda during his reign.³⁸⁷ But though Hutus from the North were favoured more than others, generally speaking, the Hutus as a whole ripped more in terms of access to state providence: employment and service provision like education. Mamdani observes that by mid-1980s; approximately a third of the eight-five central positions in Rwanda; in the army and security agencies were a preserve of the Hutu, not just from the North but from the Gisenyi prefecture where Habyarimana hailed.³⁸⁸ David Newbury and Catherine Newbury note how Gitarama and Butare prefectures, the political centres of the overthrown Kayibanda regime were marginalised by Habyarimana; that despite of having

³⁸⁵ Mamdani, *When Victims Become Killers*, 2007, 139, quoting Legum, ed., *African Contemporary Record*, 1977:78, p. B236. Also see, Odonga, *Rwanda and Uganda*, 1995, 18.

³⁸⁶ The African Commission on Human and Peoples' Rights, *Examination of State Reports, Libya-Rwanda-Tunisia*, 9th Session, March 1991, 63

³⁸⁷ Prunier, *The Rwandan Crisis*, 1995, 85, delineates that Habyarimana regime was punctuated with ``main political clans``. Prominent of these clans was the `le Clan de Madame` and later the ``Akazu``. To Prunier, this meant that whereas Habyarimana favoured the Northern Hutu, when they realised that government providence was solely meant for them, they started competing among themselves for Cabinet positions, economic opportunities and scholarships. As such, Habyarimana and his wife Agathe started favouring the people from the Gisenyi prefecture over those from Ruhengeri prefecture, a group which was led by the foreign Minister, Casimir Bizimungu and Public Works Minister Joseph Nzirorera.

³⁸⁸ Mamdani, *When Victims Become Killers*, 2007, 152

20 percent of the total population of Rwanda, they were receiving only 1 percent of government funding.³⁸⁹ The state-capacity, the ability of the state to function, be it at social, political and economic level was buttressed to ensure the continued domination of power by the Hutus, more so the Hutus from the North and specifically the members of the ``Akazu``,³⁹⁰ and the continued marginalisation of the Tutsi.

As far as development was concerned, Habyarimana's commitment was quite monumental, and most development indicators went up during the first years of his administration. Mamdani quoting Filip Reyntjens, *L' Afrique des Grands Lacs en crise: Rwanda*, and Gerald Prunier, succinctly captures for us the astronomical strides that Rwanda's state-capacity took as far as development was concerned. We are told that much as by 1976 Rwanda was metaphorically speaking: the sick man of the great lakes region when it came to economic development, by 1987 Rwanda had the lowest debt, lowest inflationary rate and the highest growth in the Gross National Product in the region. Dependence on subsistence agriculture generally went down from 80 percent in 1962 to 48 percent in 1986 and the growth in the service sector stood at 31 percent from the 12 percent of 1962. There was high mortality rate and school attendance increased from 49.5 percent in 1978 to 61.8 percent in 1986.³⁹¹ Catherine Newbury and David Newbury note that Habyarimana attained much in a number of sectors; roads, expansion of schools and health centres, embarked on reforestation programmes and focused on increasing agricultural production.³⁹²

Melvorn notes that Rwanda had one of the best road network systems in Africa with a perfectly functioning post and telephone services, and that its electricity supply was

³⁸⁹ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 873.

³⁹⁰ Melvorn, *A People Betrayed*, 2009, 45-58, documents the nature and functions of the ``Akazu``, (little house), a somewhat powerful oligarchy which comprised of Habyarimana Agathe, Habyarimana's wife and his brothers: Protais Zigirazo, alias Monsieur Z, Seraphin Rwabukumba. It is noted that this oligarchy played a very important role in the execution of the genocide. It is Rwabukumba, whom Melvorn refers to as a prosperous businessman that when he was still in charge of the National Bank he diverted funds to bankroll the arms deals. It is said that the Akazu had contacts within the military, the local communes, the prefectures, and in the Rwandan embassies abroad. We also told that it is Protais Zigiranyarazo, whom Melvorn writes of as a man with a ``fearful reputation`` who coordinated the genocide with Colonel Elie Sagatwa, Habyarimana's private secretary. It is also said that the Akazu was behind the hate journal ``Kangura`` whose editorial policy was singularly the promotion of the notion of ``pure Hutu race``, and the oligarchy operated a special death squad called ``Reseau Zero``, translated as Net work zero which was in charge of coordinating and executing killings of political opponents.

³⁹¹ See, Mamdani, *When Victims Become Killers*, 2007, 145 and Prunier, *The Rwandan Crisis*, 1995, 78-79.

³⁹² See Newbury and Newbury, *A Catholic Mass in Kigali*, 1999,300.

expanding.³⁹³ Development was also reflected in the observance of civil and political rights of the people that political executions had stopped since 1982 and there were few political prisoners.³⁹⁴ Melvern cites Professor Filip Reyntjens noting that at the fall of the 1980s corruption was limited and she conjecturally states that human rights were observed.³⁹⁵ The Rwanda of Habyarimana was overly enthusiastic about development; so much so that all the agencies for governmentality were directed towards that; the Rwandan National Assembly/parliament, we are told was called the National Council for Development.³⁹⁶ This depicts that Rwanda's development today is not a historically isolated case.

Rwanda development processes attracted a measure of accolades and aid agencies were very enthusiastic when it came to working with Rwanda. Gerald Prunier notes how Belgium, as the main donor, Germany, the United States, Canada and Switzerland closely worked with the development enterprise of Rwanda because of its organization when it came to managing foreign aid.³⁹⁷ Donor agencies enthusiastically supported Rwanda's infrastructural development with the European Development Fund aid asphaltting the road linking Rwanda to Burundi, the World Bank funding the road linking Rwanda to Uganda, Chinese aid funding the road linking Rwanda to Tanzania and the road linking Rwanda to Democratic Republic of Congo, then former Zaire, funded by the West German aid. Fortune was on the side of Rwanda that even food production per capita went up as a result of the expansion of land for cultivation as a result of particularly the abolition of feudalism on land by the revolution of 1959; where Tutsi chiefs owned large land for grazing (ibikingi), and this allowed those who hitherto had no land to gain access to land and engage in production. Mamdani quotes L. Cambrezy estimates that by 1978, approximately 800, 000 of the 4.8 million people had been settled on land.³⁹⁸

The providence of the human needs of the Hutus by the government was sacrosanct. Land as a central need was a central concern to the government of Habyarimana. Indeed, Habyarimana continued catering for the concerns of the 1959 revolution as part of his

³⁹³ Melvern, *A People Betrayed*, 2009, 44.

³⁹⁴ Mamdani, *When Victims Become Killers*, 2007, 145.

³⁹⁵ Melvern, *A People Betrayed*, 2009, 44.

³⁹⁶ Mamdani, *When Victims Become Killers*, 2007, 147.

³⁹⁷ Prunier, *The Rwandan Crisis*, 1995, 81.

³⁹⁸ Mamdani, *When Victims Become Killers*, 2007, 145.

reconciliation campaign which to Mamdani was translated into giving justice to the Hutu masses through a somewhat affirmative action by the government; through land reallocations to those who had been hitherto marginalised by the Tutsi elites. The state tried to address the question of land which had historically seen waves of violence and counter violence between the Tutsis and the Hutus. But land is generally a non-renewable resource and any measure that was just aimed at creating more cultivable land was to prove futile as the population increased.

However during Habyarimana's time, Rwanda still had enough land for it could even afford the luxury of reserving 20 percent of its total land mass for parkland.³⁹⁹ It should be emphasised that land as a factor of production has never and will never be enough simply because those who own it can decide to own it in perpetuity, and it will never be without a proprietor, for even when land was transferred from the hands of the Tutsi elites, it was owned and distributed by the regime to its cohorts. But because the pressure on land threatens to translate into violent conflicts; then the solution has to be diabolic in nature: streamlining land distribution, and at the same time promoting alternative means of tapping survival. But Habyarimana's regime advocated continued work on land thus:

First the population must get down to work—the government and myself (sic) want to emphasize the value of work on the land. Thus we shall devote each Saturday to tilling the soil with hoes in our hands. ``⁴⁰⁰

Habyarimana development infrastructure however had its problems and later its catastrophes. The critics of the ``Development Enterprise``; if we are to borrow the lingua of Peter Uvin, instructive of whom was Jean Rupiya, then a Professor of History at the National University of Rwanda, who wrote an article in 1985; noting that much as Kigali had grown significantly, roads paved and the transport system developed, the number of automobiles increased, the country able to procure enough gasoline, construction materials and food products, the rural masses were not ripping from the benefits of that development and to him this was a recipe for a social crisis. To Rupiya, the egalitarian values which the Revolution of 1959 had stood for had been neglected and therefore the

³⁹⁹ Mamdani, *When Victims Become Killers*, 2007, 146.

⁴⁰⁰ *Ibid*, 2007, 146, quoting, Phillipe Decraene in *Le Monde* (Paris), 31 March 1974; cited in ``Rwanda, `` in Legum, ed., *Africa Contemporary Record*, 1974-75, p. B254.

government had lost a claim over legitimacy for it had neglected the rural masses that were the backbone of the revolution.

Outside the citizenry of Rwanda was Fernand Bezy, who made a critical economic analysis about the Rwandan development enterprise. He outlined that the development process was first forwarding the ``pauperisation of peasants`` who were surviving on an annual consumption per capita of less than USD 150. He recommend political reforms to thwart a lingering social crisis; calling for a commitment to development programmes to ensure the food security of the rural dwellers, protection from merchant exploitation, and creation of employment and production of essential commodities through the establishment of many small, labour-intensive industries which were distributed in the different regions of the country.⁴⁰¹ These were lonely voices, but indeed seemingly prophetic as they pointed at a development that could inadvertently lead to violence. The message pointed to the need to reorient the development infrastructure to ensuring the human security of the people.

Also, the problem of land as a central pillar to the survival of the people was far from being resolved. We are told that the problem of overpopulation continued to diminish the available of land meant for food production. Catherine Newbury and David Newbury write that population density, in some areas, had superseded four hundred people per square kilometre with more than one thousand people per square mile. The land problem aggravated the problems which the youth were grappling with; with no land, no jobs, little education; their future was bleak. Their path to adulthood was also hijacked as the legal requirement for marriage was a house where the bride would leave,⁴⁰² but build a house with what and on what? The social circumstances of the youth were a recipe for disaster, and their predicament became central to the structure of violence during the genocide.

The problem of land was worsened by the visitations of droughts like that of the 1980s which led to the ``ruriganiza`` famine which, we are told, killed approximately 300

⁴⁰¹ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 873, quoting, Fernand Bezy, *Rwanda, 1962-1989: Bilan Socio-economique d'un regime* (Louvain, 1990), 32, Jean Rumiya, ``Ruanda d'hier, Rwanda d'aujourd'hui, `` Vivant Univers 357 (May-June 1985): 8.

⁴⁰² Newbury and Newbury, *A Catholic Mass in Kigali* 1999, 302.

people and sent many wandering in search for food. This was not helped by the self-aggrandisement of the power elite who focused on land grabbing. The agrarian international development projects meant for the populace ended up benefiting the power elites. The story of the Gishwati forest which was cleared to accommodate the exotic cattle project funded by the World Bank, with cattle bought from Europe, is instructive when it comes to illustrating how self-aggrandisement had taken the better of the power elites during the reign of Habyarimana. The proceeds from the project were siphoned by those whom Prunier refers to as, ``big men``.⁴⁰³

It was becoming clear that Habyarimana's development enterprise was benefiting the power elite than the ordinary people. Whereas the government report on the case of Gikongoro, the epicentre of the famine of 1989-1990, blamed the scarcity of land; where 96 percent had farms of less than half a hectare, and 74 percent had less than one-quarter hectare, the people viewed the famine as an abnegation of the government's responsibility to plan and manage disasters.⁴⁰⁴ The government was increasingly becoming alienated from its people. David Newbury and Catherine Newbury, quoting de Lame succinctly capture the general mood of the rural masses, many of whom were youthful at the height of economic insecurity. Noteworthy was the general apathy when it came to participating in government meetings which were being convened by the bourgmestre, people started dodging communal labour, many resorted to cutting trees for survival and the resentment of the rich, *Umukungu*, became part of the societal relations.⁴⁰⁵ The development infrastructure was problematic and was a recipe for conflictual situations.

Also, as Habyarimana's development enterprise was being acknowledged, the marginalisation of the Tutsi was receiving little or no condemnation at all. What pointed to a cataclysmic outcome was the exclusion of the Tutsi refugees, whose quest for return to Rwanda was constantly met with demographic arguments; that Rwanda had

⁴⁰³ Prunier, *The Rwandan Crisis*, 1995, 88.

⁴⁰⁴ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 871, quoting, Jennifer Olson, ``Farmer Responses to Land Degradation in Gikongoro, Rwanda`` (PhD dissertation, Michigan State University, 1994), 80.

⁴⁰⁵ *Ibid.*, 2001, 875, quoting, De Lame, *Une Colline*, 68.

insufficient land that could not accommodate them.⁴⁰⁶ Of course, even among the refugees were those who had political ambitions and who for all intent and purpose exploited the legitimate concerns of the refugees to score political concerns.

The number of Rwandan refugees, majorly Tutsi, who vacated Rwanda following the violence against the Tutsi between 1959 and 1964, 1972 and 1973; according to the United High Commission for Refugees, had grown to 336,000 by 1964 (?). Even Prunier becomes extremely conjectural in his attempt to reach an acceptable estimate of the number of refugees.⁴⁰⁷ Mushemeza quoting the Republic of Uganda, Ministry of Internal Affairs, Annual Report 1971 states that by December 1971, the total number of refugees in settlements in Uganda stood at 36,825 and at 35,260 for those outside the settlements.⁴⁰⁸ These numbers reflected the official record, but there are those who never assembled for registration. And in the context of Uganda, the fact that Banyarwanda had already settled in Uganda early on as economic migrants, at the time of his writing, Gerald Prunier, put the number of their descendants to approximately, 700,000 of the population of Uganda⁴⁰⁹, then, the number of Rwandan refugees at that time can only be a matter of perception index.

Conjecturally, there should have been some refugees who were received by those families, the Rwandan migrants who had migrated to Uganda earlier than 1959, without having to go through the formalities of registration. It should be put forward that the 1995 Constitution of Uganda recognises the Ugandans of Rwandan origin, known as the Banyarwanda, whom Gerald Prunier refers to as ``local Banyarwanda``, as one of the tribes of Uganda, not in reference to refugees but rather to those who found themselves in Uganda earlier on before the political crises that defined Rwanda's history. Also historically, the people of Bufumbira in Uganda were historically part of Rwanda, only becoming ``Ugandanised`` by the 1910 Anglo-German agreement. So, this kind of demographic arrangement can make the quest for statistics when it comes to Rwandan refugees in Uganda quite problematic.

⁴⁰⁶ Newbury and Newbury, *A Catholic Mass in Kigali*, 1999, 302.

⁴⁰⁷ Prunier, *The Rwandan Crisis*, 1995, 62-63.

⁴⁰⁸ Mushemeza, *The Politics and Empowerment*, 2007, 76-77.

⁴⁰⁹ See Prunier, *The Rwandan Crisis*, 1995, 64.

However, the quest for an acceptable estimated figure of refugees put aside; their plight required a more focused committed policy action to tackle their predicament than a mere government declaration of July 1986; that Rwanda was not big enough to accommodate its citizens under physical and psychological duress.⁴¹⁰ The plight of the Rwandan refugees, who were facing political persecution in Uganda as a result of their being identified with the National Resistance Army rebels of Yoweri Kaguta Museveni; who were against the government of Milton Obote, the then president of Uganda, and the political ramifications of the indifference of the Habyarimana when it came to forging a political solution to their predicament has been extensively discussed elsewhere.⁴¹¹ At this point, this study limits itself to identifying the inherent flaws within the development enterprise of Habyarimana that focused more on the emancipation of the Hutu and neglected the Tutsi in the name of correcting historical injustices against the Hutu.

Emphasis should be made that some refugees constituted themselves into a militia to wage war against Habyarimana; they were determined to return home. Their resolve rotated on the human security of the Tutsi refugees who were in dire need of returning home, in the quest for a permanent place of abode that to them was central to their survival. Facing rejection from Uganda and denied entry into Rwanda as the boarder was sealed-off to more returnees on the pretext that Rwanda was small to accommodate them, many of those who were displaced from Uganda met their death in deplorable circumstances. For instance, of the thirty seven accounted for deaths, the distribution by cause of death was as follows: six(6) hung themselves, two (2)threw themselves into the river, one (1) was cut and thrown into the river, eight (8) drank poison, one (1) was old and left in the house to die, one (1) was beaten to death, cut up and thrown into the river,

⁴¹⁰ Melvern, *A People Betrayed*, 2009, 30, explains how the Rwandan refugees in Uganda were attacked by indigenous people, their property looted and their women and daughters raped in October 1982. She notes that 35,000 heads of cattle were stolen and this prompted 80,000 Rwandan refugees to flee towards the Rwanda-Ugandan boarder with hope that the government in Rwanda was to take warm interest in their predicament, but even when persecution in Ugandan continued, the authorities in Rwanda could only accept to resettle only 30,000 people.

⁴¹¹ *C.f.*, Prunier, *The Rwandan Crisis*, 1995, 61-74, Gasarase, *The Rwanda Conflict*, 1995, 8-17, and Odonga, *Rwanda and Uganda*, 1995, 18-24, for a thorough treatment of the Banyarwanda refugee phenomenon mostly in Uganda,.

three (3) were eaten by lions as they wandered, ten (10) were beaten to death, one (1) was burnt in the house, one (1) was shot and one was killed and his last figure cut off.⁴¹²

They were therefore resolute that:

Gone are the days when, with our hands held out, we believed in a miracle, in a solution from outside. A more self-reliant outlook will restore our self-confidence (Gatsimbayi et al, 1987:4).... Returning home for those refugees that have endured ``statelessness`` for almost 30 years is our priority. We will not be intimidated by attempts to batter us into submission by employing such tactics as blacklisting. Struggle for human rights has a price. By our efforts we are registering a willingness to pay the price (Shalita, 1998).⁴¹³

Habyarimana used his development enterprise, among other things, to buffer his regime against such aggression. The state capacity of Rwanda was now marshalled to put a determined fight against the insurrections. It is said that before the scare that was posed by the Rwanda Patriotic Army rebels- a group of refugees; who constituted themselves into an armed group, Habyarimana's government showed little animosity against the Tutsi.⁴¹⁴ This security dilemma, posed by the ``Tutsi diaspora communities``, as referred to by Mamdani or as ``the refugee warriors from Uganda`` as Rene Lemarchand refers to them, worsened the insecurity dilemma complex as it heightened the ethnicisation of the body politics, economics and society.⁴¹⁵ The regime became intolerant when it came to rights of the Tutsi inside Rwanda. This underscores the assertion made earlier that whenever the existence of the Hutu elites was threatened by the Tutsi insurrection, the quick way of scaring them was to unleash violence on their kinsmen inside Rwanda, and that the easiest way to mobilising the Hutu masses to rally behind the security of the regime; was to always brand any attack as an attack by those who wanted to return the Hutu to servitude.

⁴¹² Data provided from appendix B, to, Jason W. Clay, *The Eviction of Banyarwanda: the Story behind the Refugee Crisis in Southwest Uganda* (Cultural Survival, inc., August 1994).

⁴¹³ As quoted from Gasarase, *The Rwandan Conflict*, 1995, 8-9.

⁴¹⁴ Strauss, *The Order of the Genocide*, 2006.

⁴¹⁵ C.f., Mamdani, *When Victims Become Killers*, 2007, and Lemarchand, *The Dynamics of Violence in Central Africa* (Philadelphia: University of Pennsylvania Press, 2009).

Habyarimana, who had hitherto not found himself in such circumstances, was yet to fall into that somewhat historical escape route. The Tutsi militants justified their cause basing on the numerous refugees who were rendered stateless and the exclusion of the Tutsi from Rwandan politics. The desire to resettle the Rwandese refugees in exile was part of the RPF war manifesto.⁴¹⁶ Indeed, part of the Protocols which comprised the 12 July 1992 Arusha Ceasefire Agreement between the RPF and the Habyarimana government was the Protocol on Repatriation of Refugees and Resettlement of Displaced People⁴¹⁷ Both sides adopted historical injustice as a rallying cry.⁴¹⁸ Earlier, before the violence of the 1990s had culminated into the genocide of the 1994, Commissioner Nguema of the African Commission on Human and Peoples' Rights had warned in one of his recommendations that:

We would recommend to the Government authorities in Rwanda that whilst they work to ensure global equilibrium in the country they should work harder to resolve the problem. But in the past brought them division led to the last revolution in 1979 so there may not be a cyclical type of violence. If today violence is beneficial to one group, tomorrow it will be beneficent to the other. This brings about the infernal cycle of revolutions``.⁴¹⁹

Uguema's recommendation was prophetic in nature. The RPF; a Tutsi dominated rebel group steadily progressed in its war against the Habyarimana; Hutu dominated government. Even when Habyarimana was ``forced`` to sign the Arusha Peace Agreement in August 1993, he was adamant in implementing its concerns. Indeed at the Regional summit of April, 6th, 2013, attend by The then President of Tanzania, Ali Hassan Mwinyi, Kenyan Vice President, George Saitoti, Cyprien Ntaryamira of Burundi and Yoweri Kaguta Museveni of Uganda, pressure was put on Habyarimana to the effect that he honours the terms of the agreement. It is reported that Habyarimana appeared to be ``shaken`` by the rebuttals from his regional peers and was asked to by Museveni, who had accompanied him to the Airport, to ``honour his signature. A few hours later his

⁴¹⁶ See, Gasarase, *The Rwanda Conflict*, 1995, 9-12.

⁴¹⁷ See, Rwandese Patriotic Front, June 1994, 5-7.

⁴¹⁸ Newbury and Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 297.

⁴¹⁹ Commissioner Nguema's comments at The African Commission on Human and Peoples' Rights, The African Commission on Human and Peoples' Rights, Examination of State Reports, Libya- Rwanda-Tunisia, 9th Session, March 1991, 75.

Presidential jet, the Falcon50, a gift from President Francois Mitterrand was gunned down as it approached the Kigali Airport at approximately 8:30pm killing Habyarimana and others,⁴²⁰ what followed was a state of anarchy. In retaliation the Hutu extremists executed the highest level of violence—the genocide, against the Tutsi civilians in Rwanda.

Of course the Tutsi led RPF insurrection⁴²¹ explain how Habyarimana, hitherto considered to be the “protector of the Tutsi”⁴²² later, of course with his associates, became the “hunter of the Tutsi”. But his power, and that of those who inherited the reigns of the state upon his demise was already waning, the RPF insurrection compounded their fate. Circumstance and error of judgement were to determine how events unfolded in Rwanda. The threat of the advancing Rwanda Patriotic Front against the power of Habyarimana and his subsequent and indeed untimely death precipitated a calculated wave of violence by the Hutu against the Tutsi in Rwanda. The genocide became a survival strategy. A quick comment should be made that whereas it is the Rwandan refugees in Uganda who led the RPF incursions, the overthrow of the genocide regime created another “new case load” of refugees who also became a security concern to the new regime in Kigali. How did the new regime handle the “new refugee problem?” The study focuses on the refugees who went to Zaire (now Democratic Republic of Congo) in the subsequent chapter to underscore how human security concerns, like the plight of the refugees who went to Congo after the genocide constituted a threat not only their survival but also to the survival of the Rwandan state which was just emerging from the ruins of a civil war that had seen a genocide.

One important event within an array of issues areas which served to draw Habyarimana to the fate of Kayibanda, apart from the Tutsi led RPF insurrection, was that Rwanda embarked on a neoliberal economic agenda which saw an array of economic reforms. The neoliberal economic reforms, encapsulated into the structural adjustment agenda, saw the state withdrawing from the various spheres of providence for its population. The

⁴²⁰ The Sunday Vision, Our History, September, 23rd 1998.

⁴²¹ The phrase “Tutsi led insurrection” is used to connote the perception that the regime in Rwanda had about the RPF. However, though generally inconsequential to this study, it should be noted that of the twenty six member executive committee of the RPF at the time of its inception, 15 were Hutu and eleven Tutsi.

⁴²² Mamdani, *When Victims Become Killers*, 2007, 138-141.

Structural Adjustment Package demanded Rwanda to do away with coffee subsidies and also devalue its currency; among other conditionalities that went as far as suspending health care subsidies. Devaluation of the currency saw a fall in the nominal price of coffee, and it should be emphasised that coffee was central to the survival of Rwandans for many were coffee growers. Mamdani observes that returns from coffee fell from USD 144 million in 1985 to USD 30 million in 1993.⁴²³ As coffee prices went down, the government started levying higher fees for provision of basic services, inter alia; health, primary education and water. Local governments also increased their levies.⁴²⁴ The French as the then guardian of the Habyarimana regime were apprehensive about the ramifications of the declining coffee prices as it was to worsen the already deepening social and economic crisis in Rwanda. This prompted the French, in 1990; to unfreeze 500,000 Francs for food aid.⁴²⁵

Retrenchment and downsizing of government providence meant that many lost their jobs and access to social services that were hitherto subsidised by government. Melvern states that the state enterprises that were employing a considerable number of people ran bankrupt as health and education services were distorted, levels of child malnutrition and malaria incidences increased.⁴²⁶ Catherine Newbury and David Newbury note that as government introduced austerity measures, the gap between the rich and the poor was widening. The nation became economically stressed and this led to social tensions and fear.⁴²⁷ The human security of the people was hit in a multidimensional manner as the policies adopted out of the rubric of the structural adjustment programme served to curtail mainly the provision of basic needs by the government. The economic and food insecurity were the survival of the population.⁴²⁸ As the economic conditions worsened, Habyarimana's government became increasingly apprehensive about its vulnerability to military threats. Indeed, Habyarimana, as early as April 1990, he was partitioning the government of France to provide him with armed ware, namely: repair or replacement of

⁴²³ Mamdani, *When Victims Become Killers*, 2007, 147.

⁴²⁴ Newbury and Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 301.

⁴²⁵ Presidency of the Republic, Ambassador of France in Charge of Mission from the President of the Republic, Paris, March 30, 1990, subject: President of Rwanda's visit (Monday April 2).

⁴²⁶ Melvern, *A People Betrayed*, 2009, 45.

⁴²⁷ Newbury and Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 301.

⁴²⁸ TD Kigali 111, March 12, 1990.

primary radio, donation of secondary radio and anti-aircraft weapon system, and the replacement of the Nord Atlas which had been given by France in 1983.⁴²⁹

Habyarimana, in his development policies may have come nearer to the excesses of the Tutsi monarch, than to what the 1959 revolution stood for. Forced labour, in the name of *Umuganda*; a form of community labour, almost a somewhat return to the *Ubureetwa* (forced labour) during the days of the monarch and colonialism; was imposed onto the people, and it was not limited to public works but sometimes extending to private agrarian projects of the political elites of Habyarimana's regime. The situation was not helped by the budgetary reduction of 40% that was operationalised by a reduction in social service provision. This was coupled with an array of tax regimes, ranging from umusanzu, water fees, and health tax to school dues. We are told that people were physically and psychologically disoriented. Meanwhile, as people were almost condemned to abject poverty; lacking even the requirement of a simple existence: salt, soap, decent clothings and a ``humble`` new hoe⁴³⁰, those who were ``politically well-connected`` lived in luxury, building villas as they profited from development projects meant for the rural poor.⁴³¹ There seemed to be a somewhat reversal of fortune when it came to the human securities of the people and the security of the regime; a situation which was to be aggravated by external challenges.

Inadvertently, this economic downturn disillusioned the people that 300,000 coffee trees were uprooted by farmers due to decrease in the prices of the coffee beans, and this disillusionment was compounded by the RPF insurrection that was to directly shift the attention of the government from the predicament of its people to regime survival. Mamdani notes that the expenditure on the military increased from 1.9 percent in 1989 to 7.8 percent of the GDP.⁴³²

⁴²⁹ TD Kigali 116/117, 03/14/90, 17:12-74549, 6-DSL-SECRET, Subject: Request for military order likely to be presented to the President of the French Republic by the Rwandan President at their meeting on April 3, 1990 (First Part two) Ref: MAM SHEET NMR 140/2-MAM/RWA FROM FEBRUARY 27, 1990.

⁴³⁰ Newbury and Newbury, *Bringing the Peasants Back In*, 2000, 874, citing, De Lame, Une Colline, esp. 297 and following.

⁴³¹ *Ibid*, 2000, 872.

⁴³² Mamdani, *When Victims Become Killers*, 2007.

It should be outlined that the Forces Armees Rwandaise (FAR); very quickly expanded from 5,000 to 28,000 men from October 1990,⁴³³ with purchases of small and heavy weapons being got from France and later Egypt. It is noted that the first consignment of weapons from Egypt was worth USD 5.889 million, comprising of 60.000 grenades, two million rounds of ammunitions, 18,000 mortar bombs (82mm and 120mm), 4.200 assault rifles, rockets and rocket launchers. Those large consignments saw Rwanda becoming the third largest importer of weaponry, ranking third next to Nigeria and Angola.⁴³⁴ However, it is the Human Rights Watch that put in a detailed manner the Rwanda government expenditure on arms in a quantitative measure. It notes as follows: that Rwanda reached a secret agreement with Egypt to deliver arms worth \$6Million with \$ 1 Million to be repaid by delivering 615 tons of tea from the Mulindi tea plantation, with the rest to be paid in annual instalments up to 1996.

Accordingly, fifty 60mm and twenty 82mm mortars, with ten thousand high-explosive mortar shells; six 122mm D-30 long-range artillery guns, with three thousand high explosive artillery shells; over six thousand high -explosive shells for 120mm mortars; two thousand RPG-7 rocket-propelled grenades; two thousand MAT-79 anti-personnel landmines; two hundred kilograms of plastic explosives; at least four hundred and fifty Egyptian-made Kalashnikov automatic rifles; and more than three million rounds of ammunition were delivered from Egypt.

South Africa supplied arms worth \$5.9 Million: South African-made 5.56mm R-4 automatic rifles, twenty thousand high-explosive grenades, 1.5 million rounds of ammunition, 7.62mm SS-77 machine guns, the 12.7mm (.50 calibre) Browning machine guns and one million rounds of ammunitions, seventy hand-held 40mm MGL grenade launchers with ten thousand grenades, one hundred 60mm M1 mortars and ten thousand M26 fragmentation grenades.

⁴³³ However, Prunier, *The Rwandan Crisis*, 1995, 113, notes that the Forces Armees Rwandaise (FAR); which numbered 5,200 on 1st October, 1990, had grown to 15,000 by mid-1991, 30,000 by the end of that year, and 50,000 by the time the Arusha peace negotiations began in mid-1992.

⁴³⁴ Melvern, *A People Betrayed*, 2009, 38.

The Human Rights Watch also quotes the U.S. Arms Control and Disarmament Agency that imports in arms worth \$20 million was got from China in 1989.⁴³⁵ It is no wonder therefore that hand grenades and other easy-to-Carry weapons took place in markets of food stuffs as if they were fruits and vegetables.⁴³⁶ Life in Rwanda remarkably became militarised that:

“The country was flooded with weapons. Two beers (would) get you one grenade.”⁴³⁷

Meanwhile, the providence of the government, when it came to inter alia, education, health, employment, and subsidies for farmers for their economic security was waning; most especially as a result of the effects of the Structural Adjustment Programmes.⁴³⁸ The government had no time and resources to tackle such issues which were central to the survival of the population. Human security concerns had to be sacrificed at the altar of regime security, and state capacity had to be directed to political survival than to alleviating the economic problems of the people.⁴³⁹ However, the predicament of the people, like the unemployed; were later to be manipulated by the government of Habyarimana to rally the people behind its quest for survival. The discussion of this turn of events comes later.

Political problems compounded the social- problematic effects of the Structural Adjustment Programmes. The state in Rwanda had to be naturally overwhelmed. Torn between a worsening social crisis and a determined armed insurrection from the RPA, the survival of the regime became primary. The Human Rights Watch quotes Habyarimana saying:

Our economy was already ailing in 1990, and of course the war has not resolved anything. We signed agreements with the IMF and the World Bank, which we have of course been unable to honor, because we have had to purchase weapons and supplies.

⁴³⁵ See, Human Rights Watch Arms Project, *Arming Rwanda: The Arms Trade and Human Rights Abuses in the Rwandan War*, Vol. 6, Issue 1, January 1994:41-18.

⁴³⁶ See, *ibid*, 28.

⁴³⁷ Comment by a Western Diplomat in Kigali, as reported by, Human Rights Watch Arms Project, *Arming Rwanda: The Arms Trade and Human Rights, Abuses in the Rwandan War*, Vol. 6, Issue 1, January 1994.

⁴³⁸ See, Melvern, *A People Betrayed*, 2009, 38.

⁴³⁹ Newbury and Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 305.

Now we want to improve our macroeconomic outlook, but we have a serious shortage of currency.⁴⁴⁰

The social crisis that accrued to the human insecurities of the people that entailed economic insecurities instead of being solved; it was manipulated for political ends. Ethnic propaganda became the quick route to be taken in order to mobilise the masses to participate in the violence against the enemy, and the enemy was defined by the regime as the Tutsi community. Newbury and Newbury note that the main theme that had pervaded earlier political crises; which was manipulation of ethnicity for political ends picked momentum as Habyarimana sought political escapism from his political problems.⁴⁴¹ Neglected provision of human needs that determine human security became central to structuring violence during the genocide.

Habyarimana's regime, at this point, looked at ethnicity not as a problem, but rather as a solution to the political problems of his regime. The Tutsi-Hutu historical animosity had to be exploited. Repression and murder of the Tutsi was almost elevated to a full time vocation of the unemployed youth. The Hutu masses were led blindly into the illusion that their survival would only be guaranteed by the complete decimation of the Tutsi. The regime reverted to a somewhat old-strait jacket; which is manipulation of ethnicity for political ends, for historically the tactic has been adopted whenever:

...an intra-class power struggle among the Rwandan elites (occurred they), at various times manipulated and politicised ethnicity and/or regionalism, in order to divide the masses of the Rwandan population into personal or group power constituencies.⁴⁴²

Indeed the population had reservations about the RPF; it made them make ``mental maps`` of the exploitative nature of the monarchical rule. The memory of the historical

⁴⁴⁰ Human Rights Watch Arms Project, 1994: 18, quoting Habyarimana in Foreign Broadcast Information Service, FBIS-AFR-93-193, October 7, 1993:2.

⁴⁴¹ See, *ibid.*, 2001: 303-305, for a detailed discussion of the way the RPF attack impacted on Habyarimana's political and military policy. The military capacity of his regime became the single most important focus, with the army growing in size, and there was a calculated move towards the ethnicisation of the conflict with all the Tutsi branded as accomplices and there was a move towards the popularisation of the war with civilians and militias being armed and that a time reached when grenades were being sold on ``open air markets``.

⁴⁴² Gasarase, *The Rwandan Conflict*, 1995, 1-2.

injustice which they suffered during the monarch was seemingly reincarnated through the RPF's invention and the Habyarimana regime exploited that fear to its advantage. The fear of the people was diabolic in nature; fearing the repressive regime of Habyarimana and the return to the exploitation by the RPF was depicted by the regime as a move by the Tutsi return to the Hutus to the exploitative Tutsi monarchical rule.⁴⁴³ The French were also of the same view that the ascendance of the RPF to political power in Rwanda will culminate into the subjugation of the Hutu leading to a crisis of National Unity in Rwanda.⁴⁴⁴ Indeed when the first RPA incursion into Rwanda aborted, the French observed that the Rwandan Tutsis were disoriented that the military setback to the RPA had prevented the anticipated outcome of the RPA thwarting the mobilisation of the Hutus against the return to the Tutsi monarchy.⁴⁴⁵ French authorities were also very quick to anticipate the decimation of the Tutsi population (700,000) in the interior by the Hutus(7,000,000) as a result of the military success of the RPF in North East Rwanda which was a probable indication of the intentions of the RPA to, ``re-establish the Honi regime of the first Tutsi Kingdom``.⁴⁴⁶ Accordingly, the French were willing to extended military assistance to the Government of Habyarimana in a bid to thwart the domination of the Hutus by the Tutsi's. A particular correspondence (which also captures the quick response of Mitterrand) of Admiral Jacques Laxande, the then Chief of French Defense Staff to the President of the French Republic partly read as follows:

He (Habyarimana) was provided with ammunition during the early days of the crisis. A small package of rockets to arm his helicopters could now be useful if delivered to him (hand written note President Mitterrand: yes).⁴⁴⁷

The French's plan to extending support to the government of Habyarimana was later put at two levels; diplomatic and military. Within the diplomatic level was a scheme to threaten through warning President Museveni of Uganda who was believed to be the

⁴⁴³ Newbury and Newbury, *Pre-colonial Burundi and Rwanda* , 2001, 315.

⁴⁴⁴ DT Kigali, October 7, 1990, Situation in Rwanda, Object: Situation in Rwanda. Also see,

⁴⁴⁵ 4.A.3. TD Kigali, October 15, 1990, Analysis of the situation by the Tutsi Population, Declassified, Subject: Analysis of the Situation by the Tutsi Population.

⁴⁴⁶ 4.A.4 Except from the defense attaché Kigali's message, October 24th , 1990, Assessment of the Political Situation, Declassified, TERTIO: Assessment of the Political Situation.

⁴⁴⁷ Presidency of the Republic, The Admiral President of Staff, Note: to the attention of the President of the Republic (care of the Secretary General), October 8, 1990, Subject: Situation in Rwanda.

guardian of the RPA⁴⁴⁸, although later the tactic to threaten Museveni proved futile and was replaced with persuasion as seen in the suggestion of the France to assist Museveni in his fight against the Islamist expansion at the Northern border of Uganda in exchange for his reigning on the RPF to stop their military aggression against Rwanda.⁴⁴⁹ The military level entailed extending ammunitions and military equipment, offering technical assistance essentially on artillery and putting one company of the French forces to be on alert ``at six oclock`` if need arises for the need for intervention to protect French citizens.⁴⁵⁰ Also by 1991 the French had set up the Detachment for Military Assistance and Instruction (DAMI) in the region of Ruhengeri for the continuous retraining of the officers and men of the Habyarimana military units in the region that was under serious incursions from the RPA.⁴⁵¹ The interest of the French may not have been so much into protecting the government of Habyarimana but rather stopping an aggression, believed to have been a scheme by the Anglo-saxons to undermine the influence of the French in Rwanda.⁴⁵² However beneath the military and diplomatic support which France was extending to the Habyarimana regime was the desire for a peaceful settlement of the conflict. To that effect Mitterrand informed Habyarimana thus:

My country has not spared its efforts to find a peaceful solution. In this context, at the beginning of November I sent my Minister of Cooperation, Mr. Pelletier, on a goodwill mission to your country and to neighboring states worried about the problem of Rwandan refugees. As he stated and as I told you myself, a lasting

⁴⁴⁹ Presidency of the Republic, Special Envoy in Charge of mission, Paris, February 26, 1993, Note: to the attention of the President of the Republic (Care of the Secretary General, Subject: Mission of Mr. Debarge to Rwanda and Uganda-Taking Points.

⁴⁵⁰ Presidency of the Republic Advisor to the Presidency, Note: to the attention of the President of the Republic (Care of the Secretary General) Paris, February 8, 1993, Subject: Rwanda-RPF military offensive. Also see, 4.A.10. TD Kigali, December 14, 1990, President Habyarimana's meeting with General Varret, Declassified, Subject: President Habyarimana's meeting with General Varret, and Presidency of the Republic, Special Envoy in Charge of mission, Paris, February 26, 1993, Note: to the attention of the President of the Republic (Care of the Secretary General, Subject: Mission of Mr. Debarge to Rwanda and Uganda-Taking Points.

⁴⁵¹ Presidency of the Republic, The Admiral President's Chief of Staff, Note: to the attention of the President of the Republic (Care of the Secretary General), Subject: Rwanda, Situation update, April 22, 1991.

⁴⁵² Presidency of the Republic, Advisor to the Presidency, Note: to the attention of the President of the Republic (C/O the General Secretary), Paris, February 15, 1993, Subject-Rwanda: Mission to Kigali and Kampala. Also see, French Republic, Ministry of Defense, Feb. 26.1993, 006816, Note for the President: Subject: Rwanda.

solution to this conflict will be found only through a negotiated settlement and general cooperation in a spirit of dialogue and openness.⁴⁵³

The administrative, extractive and repressive capacity of the Rwandan state was committed thwarting the Tutsi problem against Hutu power. The death of the Tutsis was elevated to a level of a moral responsibility for every Hutu and there was no room for individual opinion. The state was watching on every Hutu in his execution of state orders.

It is true that state apparatus was organised to guide the direction of the genocide. A French diplomatic correspondence alludes to a meeting which was attended by President Habyarimana, his two unnamed brothers-in-law, Casimir Bizimungu, Colonels Bagasora, Nsebgiyumwa, Serubuga and others, during which meeting Habyarimana ordered for the Tutsi massacres. The French intentionally refused to investigate the matter as the mission would have damaged the reputation of Habyarimana.⁴⁵⁴ Many scholars have delineated how the Hutus, even in the remotest parts of Rwanda joined *en masse* the execution of the series of murders. Habyarimana had built a generally centralised state for the firm control of the society that when he saw that his power was threatened, he resorted to the forces created for the security of his regime from all corners of Rwanda; to bulwark his power against the insurgents. At his service were the presidential guards, gendarmerie, the army and police, the Interahamwe, the burgomasters and other militia groups which were affiliates to the MRND Party. His state capacity, when the existence of the regime was threatened, was manifested through these callous institutions.⁴⁵⁵

A correspondence from Jean Carbonare to Mr. Bruno Delaye, the then Advisor to President Mitterrand of France, which was sent with amendments to the Report of the Mission on Human Rights Violations in Rwanda as of 1993 captured succinctly how the massacres of the Tutsis which were later to be classified as genocide were centrally organised. Quoting an informer, but then a prisoner in Kigali prison, the one Janvier Afrika, it is observed that killings were centrally planned and orders delivered to the below. A series of meetings which allegedly took place at ``the synagogue`` within the

⁴⁵³ President of the Republic, Paris, January 30th, 1991, Subject: Mr. President, His Excellency Major General Juvenal Habyarimana.

⁴⁵⁴ DT Kigali-Bruno Delaye, From Ambassador Martres, Object: Mission from International Federation for Human Rights.

⁴⁵⁵ Gasarase, *The Rwandan Conflict*, 1995, 5.

home of Captain Simbikangwa discussed the plan which guided the massacres of the Bagogwe (Tutsis). That these meetings were attended by Habyarimana Juvenal (the then President of Rwanda), Nzirorera Joseph, Segatawa Elie, Rwabukumba Seraphin, Serubuya Laurent, Major Nkundiye, Nsengiyumva Anatole, Zigiranyirazo Protails, Colonel Bagosora, Deputy Rucagu Boniface, Minister Bizimungu, Captain Simbikangwa, Mugesera Leone, Ngirumhaste Mathieu, Ndiwayezu, Habiabere Joseph, Ntilivamunda Alphose, Madame Rushingabigwi Chantal, Doctor Liwimana, and others. The centre was to coordinate with regional coordinators of the scheme who were: Nzabagaraza Joseph for the prefecture of Ruhengeri, Bizimungu Come, Nzirorera Joseph, Bizimungu Casimir (the then minister of health) and the deputy of Ruhengeri, Rucacu Boniface to be incharge of Gisenyi. The operational plan is reported to have envisaged the establishment of the lists of the Bagogwes-Tutsis, seeking out support from the population, asking for help from the soldiers and obtaining assistance from the militias of the MRND and CDR.⁴⁵⁶ This depicts how the capacity of the then Rwandan government to plan and execute its functions concentrated on planning for the execution of the Tutsi. This was misuse of state capacity.

The youth played a vanguard role during the violence that culminated into the genocide. But, what motivated the youths to join institutionalised violence schemes should have been beyond ``ethnic struggle``. Indeed, lack of access to the means of survival like land and employment made them to become entangled into complex political process that problematised ethnicity. Johan Pottier particularly notes how before the earlier massacres of the Tutsi in areas of Kibungo and Bugesera which occurred in 1992 and 1993, many unemployed and landless youth had flocked into the area⁴⁵⁷ and were co-opted into the genocide structure. David Newbury and Catherine Newbury summaries their predicament as follows:

Children sought income outside the home rather than working in parents' fields; young men and women found it increasingly difficult to acquire the requisite

⁴⁵⁶ Correspondence from Jean Carbonare, To: Mr. Bruno Delaye, Advisor to the President of the Republic Paris, February 1st 1993. Subject: Corrected Document, The text (Report of the mission: ``Human Rights violations in Rwanda``) that you received earlier in the day includes several typographical errors....

⁴⁵⁷ Johan Pottier, *Relief and Repatriation: Views by Rwandan Refugees; Lessons for Humanitarian Aid Workers*, (African Affairs, Vol. 95, No. 380 (Jul., 1996), pp. 403-429, Oxford University Press on behalf of The Royal African Society, URL: <http://www.jstor.org/stable/723574>, accessed: 03/06/2013 13:12):413.

resources needed to marry; and money, education, or salaried job (the path to social mobility) were beyond the reach of most. These conditions had significant political ramifications.⁴⁵⁸

This was not helped by the burgeoning population in rural areas that could not allow them access to enough land for survival. Indeed the background information which was prepared for President Mitterrand in preparation for the visit of President Habyarimana to Paris which was scheduled start on Monday April 2nd 1990, it was indicated that the major problem of Rwanda at that time was the population of 7million inhabitants for 26,000kilometers of territorial land, but again growing at a rate of 3.7 percent.⁴⁵⁹ It is the Hutu population which stood at 85 percent in comparison to the 15 percent population of the Tutsi that became the unsuspecting victims of the chicanery of the political elites. Melvern delineates that when the new Rwandan Constitution of 1991 legalised the formation of political parties, violence among members of different political parties became an integral element of the body politics. Parties started recruiting the idle youths to form gangs to unleash violence on the members of other parties. It is also said that the youth were part of the 95 percent rural population whom the restriction on movement based on residence stopped from seeking work from urban areas.⁴⁶⁰ In the quest for political power, the political parties were determined to manipulate the predicament of the majority youth.

It is no wonder therefore that the rural dwellers, of which were the youth, seemed to be cynical of the move to political pluralism. To them it was just for the benefit of those who wanted access to political power. That it had nothing to do with their poverty.⁴⁶¹ This seems to suggest that the democracy of the political man may not be the same as the democracy of the common man. The political man looks at democracy as a process to political power. The common man looks at democracy as a way of holding government accountable to his security concerns as an individual and whether government guarantees those securities, inter alia; food, economic, political, environmental, and other personal

⁴⁵⁸ David Newbury and Catherine Newbury, *Bringing the Peasants Back In*, 2000:875.

⁴⁵⁹ Presidency of the Republic, Ambassador of France in Charge of Mission from the President of the Republic, Paris, March 30, 1990, subject: President of Rwanda's visit(Monday April 2).

⁴⁶⁰ Melvern, *A People Betrayed*, 2009.

⁴⁶¹ David Newbury and Catherine Newbury, *Pre-colonial Burundi and Rwanda*, 2001, 306.

security concerns. Though not part of the major arguments of this study, it is worth noting that democracy that does not guarantee human security is but hot air. But the youth were literally caught-up in the political pluralism saga of Rwanda.⁴⁶²

Notorious of the youth gangs were the Interahamwe (literally meaning those who fight together) which Melvern refers to as ``the best organised`` which was aligned to the ruling party, the Mouvement Revolutionnaire National pour le Developpement (MRND). It had membership in 146 communes of Rwanda to ensure that the families in communes were to be watched on by militia members. The cell was the basic unit of Rwanda's political organisation; constituting between 30-50 families sitting at the same hill side and the leadership of the cells could receive orders from the centre and pass them to the below, the local population. It is through this infrastructure that ``old historical and ethnic`` motivations were maintained by the MRND using ``a cunning propaganda``.⁴⁶³

It is at the cell level the militia members kept a close watch on the Tutsi population during the massacres. Well equipped to violently execute their functions with riffles for some members, bayonets and they were provided with combat shoes with improvised special clothes as uniforms. They had support from the gendarmerie, the Presidential Guard and from the National army. Automatic rifles and high calibre guns were provided to the militias and civilian authorities. The Human Rights basing on a document which was signed as ``SECRET``, reported in January 1994 that the government was planning to distribute one thousand, seven hundred, sixty guns to each administrative unit in but four communes, namely: Muvumba, Ngarama, Muhura and Bwisige.⁴⁶⁴ It was a terrorist outfit of a special kind, ready to unleash violence on whoever dared to criticise the government.⁴⁶⁵

⁴⁶² See, Prunier, *The Rwandan Crisis*, 1995, Chapter 4, 127-158, for a detailed treatment of how democracy became problematic in Rwanda, when war and violence became part of the political process.

⁴⁶³ TD Kigali 542, October 13, 1990, 10/13/1990 at 1:32, NB: Strictly Limited Distribution, Subject: General Situation on October 13 1990, Local Time 12pm, Ref: MSG 648-650-651-654-657-658-659-663-670 and 671/MAM/CD, from October 1-11th, 1990.

⁴⁶⁴ C.f., Human Rights Watch Arms Project, *Arming Rwanda*, Vol. 6, Issue 1, January 1994:27 and Odonga, 1995:30-32.

⁴⁶⁵ See Melvern, *A People Betrayed*, 2009, 52-53 for a thorough discussion of the inner working of the Interahamwe.

It is the *Interahamwe* and the local administrative unit authorities that were at the vanguard of the violence that culminated into the genocide. Its activities and membership was spread almost throughout the whole county that as Melvern observes, the *Interahamwe* had ``leadership at the most basic neighbourhood``.⁴⁶⁶ It is no wonder therefore that with the extent of their coercive power, any protest from rational neighbour, in opposition to the killings of the Tutsi during the genocide could be quickly be silenced at what this study metaphorically puts as: the sword's end. Inference can also be made that it is the representativeness of the *Interahamwe*, almost in the whole area mass of Rwanda; that explains the extent of the genocide. The *Interahamwe* militia youth structured the violence that culminated into the genocide. The youth were victim to the wanton manipulation of the political elite.

Marc Sommers writes that youth were resigned in their predicament which was defined by poverty and frustration, but only to be exploited by the government with threats and promise of rewards if they participated in the violence that culminated into the genocide.⁴⁶⁷ It is the majority of these youths-- *interahamwe*, that moved to Congo as political refugees together with *ex-Forces Armees Rwandaises* (FAR) and started an insurrection against the new regime in Rwanda, which was and is still at the centre of the threat to Rwanda's state security.⁴⁶⁸ Instructive of the Hutu refugees insurrections was the one which was code named ``operation insecticide`` against the *Inyenzi* (Tutsi cockroaches).⁴⁶⁹ However, part of the refugees who went to Congo were civilians; majority of whom Hutus as indicated in the introduction to this study. It is this state of affairs that informs the research agenda of this study in the subsequent chapters.

Also state propaganda that concentrated on the manipulation of the insecurities of the people of which was the historical question of land, were blamed on the Tutsi. State capacity converged with human insecurities in structuring violence during the genocide and it is that convergence that post-conflict reconstruction efforts had to focus on; aligning state-capacity to address the human insecurities that made easy the manipulation

⁴⁶⁶ Melvern, *A People Betrayed*, 2009, 53.

⁴⁶⁷ Marc Sommers, *Fearing Africa's Young Men: The Case of Rwanda*, Social Development Papers, Conflict Prevention and Reconstruction: World Bank, Paper No.32/January 2006, p.15.

⁴⁶⁸ Mwesigwa Baregu, ed., *Understanding Obstacles to Peace: Actors, Interests, and Strategies in Africa's Great Lakes Region* (Kampala: Fountain Publishers, 2011):7-27.

⁴⁶⁹ Rusagara, *Resilience of a Nation*, 2009, 196.

of the masses by the political elites to participate in the violence that culminated into the genocide. There should have been a diversity of human insecurities that were of great concern to the individuals in Rwanda. Authors have alluded to several issues that can be put into the framework of human security, for instance; scarcity of land and unemployment. However, exploring all the issues as a research agenda of this study will be like, to use the words of Arthur Koestler, ``giving a detailed description of an oriental carpet``, the study limits itself to the issues or an issue which threatened a resurgence of violence in post-conflict Rwanda.

Accordingly, this study focuses on the Hutu refugee phenomenon in Eastern Congo created as a result of the conflict which culminated into the genocide in Rwanda. As noted earlier, to the civilian refugees, their circumstances constituted a threat to their human security, *inter alia*; without health care, food, clean water, decent shelter, education, and personal security, their future was unbelievably bleak. But at another level were the Hutu extremists, who were prepared to undermine the existence of the new government in Rwanda using the Hutu refugee phenomenon as a facilitating factor, and this study dwells in detail on the Hutu refugee phenomenon in the subsequent chapters to underscore its central arguments. It is from these two variants of the Hutu refugee phenomenon in Eastern Congo that the study obtains its central question: How did the development in state-capacity during post-conflict reconstruction in Rwanda address the refugee problem in Eastern Congo.

The study problematises Rwanda's development during post-conflict reconstruction in light of the cardinal objective of post-conflict reconstruction, that is: avoiding a resurgence of violence, inquiring whether it served to address the human security effects of the conflict, majorly the refugee phenomenon in Eastern Congo that threatened a resurgence of violence in Rwanda. For analytical density the study focuses on the extent to which state capacity acted to address the issue of the refugee phenomenon in Eastern Congo.

The study contends that the Hutu refugee phenomenon in Eastern Congo presented and continues to be a threat to the state security of Rwanda and a threat to the Human Security of refugees, and that neglect of the refugee concerns more so the civilians, who could be

and can be easily recruited into the ranks of the Hutu insurrections was and continues to be a potential cause for a resurgence of violence.

In the next chapter, the study investigates the human security challenges which the refugees grappled with and how they were manipulated by the Hutu extremists to mobilise them into group violence against the government in Rwanda.

3 CHAPTER THREE

3.1 ``Security dialectic``: The Hutu refugee phenomenon and the convergence of Human and State Security to cause a Resurgence of Violence in Rwanda.

The question which this chapter addresses is as follows: how did the human security concerns lead to a resurgence of the structure of violence during post-conflict reconstruction in Rwanda, and did they also serve to undermine state-security?

According to the United Nations High Commissioner for Refugees, large population movements, a category under which the refugee phenomenon lies constitute a threat to the security of both the individual and the state, and that it is the responsibility of the state to utilize its capacity to thwart the threats to the security of the individuals who constitute groups. To the report:

Refugee movements and other forms of forced displacement provide a useful (if imprecise) barometer of human security and insecurity. As a rule, people do not abandon their homes and flee from their own country or community unless confronted with serious threats to their life or liberty. Flight is the ultimate survival strategy, the one employed when all other coping mechanisms have been exhausted.⁴⁷⁰

Whereas the report outlines the conditions that lead to forced displacement, most importantly the failure of the state to meet its rights and obligations like the provision of personal and group security, it does not explain how the refugee phenomenon culminate into a somewhat web of insecurity to the state, specifically the sending state, and the implications of such a system of things on the general debate surrounding forging a security policy during post-conflict reconstruction situations. Refugee situations are both a product of conflict and a cause of conflict; for within them are elements that harbor

⁴⁷⁰ United Nations High Commissioner for Refugees, *State of the World Refugees: A Humanitarian Agenda*, Chapter 1, *safeguarding human security*, 1997, <http://www.unhcr.org/3eb7bbd04.pdf>.

political objectives they seek to realize through violent means.⁴⁷¹ This chapter builds on that empirical gap drawing on the case of the Hutu refugees, and how their predicament proved a threat not only to their survival but also to the survival of the Rwandan state.

However, in light of Post-Conflict, this study contends that political realism requires reformation whenever it is to be applied as a *modus operandi* in the sustenance of state security in post-conflict situations of the Rwandan nature. On Rwanda, the study draws answers by particularly focusing on the Hutu-refugee phenomenon. The study sustains the view that where the problem of refugees and the problems of refugees that undermined their survival persist, the consequence is a somewhat cycle of violence and more massive migrations.⁴⁷² The crisis of the Banyarwanda refugees and Banyarwanda migrants, which remains unresolved, and has metamorphosed across decades has seen ``conflict-continuous situations``⁴⁷³ even at the present in the Great Lakes Region. But the study concentrates on the period in review (1994-2005). It should be emphasized that Rwanda has been at the centre of massive migrations in the Great Lakes Region. David Newbury placed them into four clusters with the first cluster constituting those who migrated from Rwanda as a result of pre-colonial expansionist wars, the second cluster consisting those who migrated as a result of colonial economic policies, the third cluster consisting those who were a result of the decolonization violent scuffles mostly the violent outcome of the 1959 Hutu revolution, and the last category consisting the Hutu refugees who moved en masse out of Rwanda after the genocide of 1994, lead by the

⁴⁷¹ James Miller, *New Issues in Refugee Research: Refugees and the Peace building Process*, Research Paper No. 224 (The UN Refugee Agency Policy Development and Evaluation Service, November, 2011): 1, 10, 11. Also see, Idean Salehyan and Kristian Skrede Gleditsch, *Refugees and the Spread of Civil War*, International Organisation Foundation, Vol. 60, No. 2 (Spring, 2006): 335-366, <http://www.jstor.org/stable/3877896>

⁴⁷² United Nations High Commissioner for Refugees, *The State of the World's Refugees: In Search of Solutions*, Chapter 1, *Changing approaches to the refugee problem* (UNCHR, Oxford University Press, 1995).

⁴⁷³ The phrase ``conflict continuous`` was used by Cyprian Ben Adupa, in his study titled: *Conflict Continuous: The Historical Context for the Northern Uganda Conflict*, Doctoral Thesis, Indiana University, 2006, 302, to connote how the persistence of the conflict in Northern Uganda was a result of the historical conflictual episodes which accrued to: colonial policies, environmental forces, and ethnic solidarity. It is appropriated by this study to refer to the persistent nature of violent conflictual situations in the Great Lakes Region (GLR).

members of the genocide regime.⁴⁷⁴ This chapter serves to delineate how the Hutu refugee phenomenon presented both a threat to the security of the individual—the individual refugees and to that of the Rwandan.

This chapter also presents an empirical case for the notion of “security dialectics” as advanced by Pauline Kerr, in her paper: *The evolving dialectic between state-centric and human-centric security*. The concept of “security dialectics” negates the two extreme points that are presented by both the adherents of human security and the adherents of state security, with the former presenting the security of the individual as a somewhat “sacred primary referent object” (focus) for security and the latter sanctifying the state as the main referent object for security. Accordingly the notion of “security dialectics” suggest a somewhat metaphysical bridge between the two extremes, that they do communicate to each other and that they more often than not mutually reinforce each other in both negative and positive ways. The study, in this chapter, uses the concept as a way of grounding its arguments on the nature of the resurgence of violence in post-conflict Rwanda.

Therefore the central argument the chapter advances is that: human security concerns, particularly the refugee crisis in Zaire (now Democratic Republic of Congo) threatened and subsequently led to a resurgence of violence during the post-conflict reconstruction period in Rwanda. This resurgence of violence subsequently undermined the state security of not only the new regime, but also the security of the state that is Rwanda and its people. Accordingly, the study analyses the “New Case Load”⁴⁷⁵ of refugees that went to the former Zaire after violence of genocidal proportions of 1994; in relation to a resurgence of violence in post genocide Rwanda.

⁴⁷⁴ David Newbury, *Returning Refugees: Four Historical Patterns of “Coming Home” to Rwanda*, Comparative Studies in Society and History, Vol. 47, No. 2 (April, 2005), pp. 252-285 (Cambridge University Press, URL: <http://www.jstor.org/stable/3879305>, accessed: 03/06/2013 13:51):260-261.

⁴⁷⁵ They have been a number of refugee categories that moved out of Rwanda at different historical moments of the violence in Rwanda. Instructive of these are those who went out of Rwanda after the revolution of 1959, referred to as the “Old Case Load” and those of after the genocide of 1994, referred to as the “New Case Load”.

It is a major contention of this study that refugees constitute a threat to the security of the state largely because armed elements exploit and manipulate their predicament to recruit them into their ranks. This scheme of things has continuously structured the violence that has pervaded the history of the Great Lakes of Africa,⁴⁷⁶ as defined in the conceptual framework to this study (see Chapter 1). Armed elements within refugees, whom for the purpose of this study are going to be referred to as: refugee warriors, have either waged wars against countries of origin,⁴⁷⁷ as it has been with the Hutu warriors against Rwanda, or against their host country (Democratic Republic of Congo; former Zaire) as they have been used as mercenaries—soldiers of fortune in the internal political wrangles in the host state. It should be reiterated that this chapter primarily focuses on Rwanda and arguments on DRC come-in as a way of sustaining the arguments on Rwanda. The study reverts to this scheme of things later in the discussion.

But first, the war in Rwanda was supposedly over but ``the underlying conflict`` was not. To the Rwanda Support Group, five issues were to menacingly continue to undermine the security of Rwanda unless solutions were sought after in a robust manner. The five issue areas highlighted were that: two million refugees (it should be noted that this figure has been variously put at one million five hundred forty thousand people), (remained) outside the country with hundreds of thousands more displaced internally, the exiled leadership of the ousted interim government and their supporters (considered) the new government unacceptable, extremist militias aligned with these forces (were) intimidating refugees who (wanted to return) and (fermented) violence in camps, violent incidents (occurred) inside Rwanda, raising fears among refugees and displaced persons about their safety should they return home., and thus, overall political settlement and national reconciliation (were) distant goals.⁴⁷⁸

⁴⁷⁶ United Nations High Commissioner for Refugees, *State of the World Refugees: A Humanitarian Agenda*, Chapter 3, *Addressing refugee Security*, 1997, <http://www.unhcr.org/4444afc80.pdf>.

⁴⁷⁷ Ari Zolberg, Astri Suhrke and Sergio Aguayo, *Escape from Violence: Conflict and Refugee Crisis in the Developing World* (Oxford: Oxford University Press, 1989), explains that when refugees communities decide to constitute themselves into an armed group to wage violent conflicts against their countries of origin, they become refugee warriors. Also see, Howard Adelman, *Why Refugee Warriors are Threats*, *The Journal of Conflict Studies* (The GREGG CENTRE For the Study of War and Society, Vol. XVIII No. 1, Spring 1998).

⁴⁷⁸ 165569.

Accordingly the refugee phenomenon was a matter of urgency which had to be dealt with urgently if peace and development were to be restarted in Rwanda. How the phenomenon was dealt with is a question which this study addresses later.

However, it needs emphasis that approximately one million five hundred forty thousand people who became refugees; with nine hundred in Eastern Zaire, one hundred forty thousand in Burundi, and five hundred thousand in Tanzania, according to the United States Committee.⁴⁷⁹ These massive movements constituted the former politicians, the former officers and men of the FAR, the militias-particularly the Interahamwe, and the ordinary refugees.⁴⁸⁰ The United Nations Commissioner for Refugees, quoting a report of November 1994 by the UNHCR special Unit for Rwanda and Burundi, noted that; there were approximately about one million two hundred thousand refugees in Zaire, five hundred eighty thousand in Tanzania, two hundred seventy in Burundi and ten thousand in Uganda.⁴⁸¹ The massive movement of refugees to Zaire is reported to have started on the 13th day of the month of July, 1994 when the Rwanda Patriotic Front took control of Ruhengeri, a town in Northwestern Rwanda, a predominantly Hutu locality. It is reported that on that very day approximately one (1) million refugees fled to Zaire at an approximated rate of 10,000-12,000 refugees per hour.⁴⁸² Further, that on the eighteenth day of July, 1994, approximately 400,000 refugees flew into Kamanyola region of Zaire moving towards the Uvira plane; ironically exiting the French safe zone that was meant to avail them with a somewhat safe haven.⁴⁸³

Accordingly, of all the approximated numbers of refugees given, Eastern Congo received the largest number (majority of whom were Hutus) that had ever been hosted by a single sovereign. The UNHCR statistics indicated that by the twenty ninth day of July, 1994, the estimated number of Hutu refugees in Zaire stood at 1.5 million with 850,000 in the

⁴⁷⁹ United States Committee for Refugees report of 1996, 60.

⁴⁸⁰ Henry Kwani Anyidoho, *Guns Over Kigali: The Rwandese Civil-War-1994, A Personal Account* (Kampala, Fountain Publishers, 1998), 119.

⁴⁸¹ United Nations High Commissioner for Refugees, *The State of the World's Refugees: The Rwandan genocide and its aftermath*, Chapter 10, 2000, 246, <http://www.unhcr.org/3ebf9bb60.html>.

⁴⁸² 165106.

⁴⁸³ See, 165106.

Goma camps, 314,000 in Bukavu areas⁴⁸⁴ with the rest scattered throughout the Kivu Region of Eastern Zaire. Later, but during the same month of July 1994, it was reported that there were 1.5 million refugees in Zaire; with one (1) million of these settling in Goma area and 500,000 in Bukavu and Uvira areas.⁴⁸⁵ The number of refugees in Zaire kept on fluctuating, but in an incremental format that later in July 1994 it was reported that around 600,000 refugees had fled Rwanda to Bukavu Zaire through the French created Safe Zone.⁴⁸⁶

Further in August 1994 the UNHCR indicated that by the mid-day of the twelfth day of August, 1994, 5000 people had already entered Bukavu and that the rate of entry was at 600 persons per hour. All these people were finding a safe route through the French Safe zone in Southwest Rwanda.⁴⁸⁷ The French ``safe humanitarian zone``⁴⁸⁸ became a somewhat conveyer belt that facilitated the continued movement of the mostly Hutu refugees into Zaire from Rwanda. But uniquely, these refugees were accompanied by the former militias, former Rwandan army officials and men, government officials, and police men. Dallaire, the Commander of UNAMIR had complained of the continued broadcasting of the genocidal Radio station: Milles Collines in the French safe zone; instilling fear in the people to flee Rwanda. He is said to have criticized the plan which was hatched by the French to secure asylum in Senegal and other French speaking countries for the former leaders of the genocide regime.⁴⁸⁹ Apart from the Milles Collines Radio were other information outlets which one official of the Ministry of Defence of France, Mallet, referred to as ``bloody Hutu Radios``. These Radios

⁴⁸⁴ See, 164729.

⁴⁸⁵ 164732.

⁴⁸⁶ 164783.

⁴⁸⁷ 164954.

⁴⁸⁸ 165053, in detail explains that the ``Safe humanitarian zone`` in the Southwest of Rwanda was created under the ``Operation Turquoise`` mounted by the French and other armies from the French speaking Africa; as a measure to ensure the safety of the Rwandans, particularly the Hutus who were running for safety as the Rwanda Patriotic Front of Kagame advanced. Operation Turquoise started in June 1994 and was sanctioned by the United Nations Security Council under Resolution 929 of June 22, 1994 with a sixty-day mandate for humanitarian purpose. The human capacity of the operation consisted of 2500 French Troops, 500 troops from Mauritania, Senegal, Chad, Egypt, Guinea-Bissau, Nigeria and Congo. As far as logistics were concerned, the operation was a ``French Affair``. It is estimated that its cost stood at 148 US Million Dollars. The mandate, by the statement which the French presented to the Security Council, entailed: reconnaissance, ensuring the security of the zone, assistance to the displaced people and the extrication of the persons at risk.

⁴⁸⁹ 164790

continued to broadcast but in the French safe zone territory.⁴⁹⁰ The presence of these remnants of the former Rwanda army and militias in the refugee camps meant that the onus was on Zaire—the host country to disarm them.⁴⁹¹ They were many in Bukavu, but the government of Zaire was weak in terms of state capacity to undertake such a venture and therefore sought for international support.⁴⁹² Delineating the infiltration of the genocidal elements into the bonafide refugees, Howard Adelman, puts the number of the refugees who went to Congo Zaire at one million one hundred thousand, and that of these, 40,000 were part of the former Forces Armees Rwandaise (ex-FAR), excluding the number of the former militias like the *interahamwe*. He notes that going by the figures of the UNHCR which put the number of Hutu refugees in Zaire at 1,250,000, including those from Burundi, the number of those who were supposedly part of the genocide machinery was put within the range of one hundred fifty thousand to two hundred twenty five thousand.⁴⁹³

The United States Department, African Affairs Division put the number of the ex-FAR at a strength of 16,000 to 22,000 persons, and that majority of them were in the west of Goma and had their guns.⁴⁹⁴ In November 1994, General Joseph Baril, the Military Advisor to the United Nations Department of Peace Keeping Operations, put the strength of the ex-FAR at a capacity of 20,000 men.⁴⁹⁵ But the presence of the armed elements within refugees presented a somewhat double-edged security complex; that the consolidation of all the armed elements with their weaponry which they carried along from Rwanda would pose, ``... a risk of destabilizing the new authorities in Kigali``, and that: `` In a more immediate sense, the force would also be used to intimidate refugees who wish to return to Rwanda``.⁴⁹⁶ This prophetic insight and sense of judgment was spot on, the two scenarios came to pass.

⁴⁹⁰ 168781

⁴⁹¹ 164730

⁴⁹² 164730.

⁴⁹³ Howard Adelman, *The Use and Abuse of Refugees in Zaire: April 1996 to March 1997*.

⁴⁹⁴ 165244.

⁴⁹⁵ 165542.

⁴⁹⁶ 165019.

Since social science figures can be sometimes elusive, normally a matter of perception indices, a mere representation of what it ``vaguely is/was``, for even some refugees were never registered or known at all; given the fact that Eastern Congo had a resident Kinyarwanda speaking population, in which some refugees would have disguised themselves, this study does not pretend at stating with finality the number of refugees who literally flooded in the Eastern Congo from Rwanda in the aftermath of the conflict which culminated into the genocide of 1994. Indeed, the attempts by the UNHCR to embark on the registration of refugees were met with violent threats from the militias.⁴⁹⁷

Accordingly, figures concerning the number of Hutu refugees who went to Congo and elsewhere perceived as a subject of debate by this study. Even when the UNHCR organized a census for refugees in Goma area of Congo, groups of refugees violently protested the census for rumour had it that the intention was to infect them with a HIV.⁴⁹⁸ It should be emphasized though in passing that HIV/AIDS is a both a Security threat to the state and to the individual.⁴⁹⁹ Whereas figures can be disputed, what cannot be disputed is that among the refugees were former members of the agencies which comprised the genocide machinery. However, as a way of guiding the central thoughts of this chapter, the figures which were provided by the United Nations High Commissioner for Refugees give a glimpse into how the situation metamorphosed.

⁴⁹⁷ 165244.

⁴⁹⁸ United States Committee for Refugees and Immigrants, *World Refugee Survey 1997-Democratic Republic of Congo (formerly Zaire)*, 1 January, available at <http://www.refworld.org>.

⁴⁹⁹ Kaweesi, Edward Silvestre, *Civil-Military Collaboration in the fight against HIV/AIDS*, Makerere University, mimeo: 2009.

Table: 3*Rwanda refugee population according to UNHCR (1993-1999)*

Country of asylum	1993	1994	1995	1996	1997	1998	1999
Burundi	245,500	278,100	153,000	720	2,000	2,000	1,300
DR Congo (ex-Zaire)	53,500	1,252,800	1,100,600	423,600	37,000	35,000	33,000
Tanzania	51,900	626,200	548,000	20,000	410	4,800	20,100
Uganda	97,000	97,000	6,500	11,200	12,200	7,500	8,000
Total	447,900	2,254,100	1,808,100	455,520	51,610	49,300	62,400

Note: The figures are as on 31 December of each given year.

Adopted from the United Nations High Commissioner for Refugees, The State of the World's Refugees: The Rwandan genocide and its aftermath, Chapter 10, 2000, 250.

From the figures in table above, it emerges clearly that Zaire, which until 1994 had a few Rwandan refugees, by December 1994, it had the largest number of Rwandan refugees within the Great Lakes Region, majority of whom were the Hutu refugees who moved out of Rwanda after the genocide of 1994 as a result of fear as it is explained but later in discussions. But a quick comment is that the reason to why majority went to Zaire than to Uganda, Tanzania or Burundi is given precisely by a former Hutu in Kibumba, Zaire but now disguising himself as a Congolese of Rwandan origin, he intimated that:

to disarm the soldiers of the Habyarimana state... by the Congolese army.⁵⁰¹ Because Zaire was a key ally to the genocide regime in the region, camps in Zaire ended up hosting more refugee warriors, comprising of ousted government officials and militias, as camps in Tanzania and other countries in the region hosted mainly bonafide refugees,⁵⁰² with some infiltrations of warriors though. The reasons for this scheme of things are explained later. But for the sake of clarity, the chapter will refer to the former elements of the genocide regime as refugee warriors and the civilian refugees as bonafide refugees. Emphasis should be made that whereas the interest of the refugees warriors was to put a determined fight against the new regime in Kigali, undermine the security of the Rwandan state, with a coveted objective of recapturing power, the interest of the bonafide refugees, this chapter argues, were generally inclined to human security; related principally to fear and want due to unmet human needs, inter alia: food, medicine, shelter, a permanent place of abode, and personal security. But these human security related concerns of the bonafide refugees were manipulated by the refugee warriors to sustain their political schemes through violent means as it will be articulated later.

Human security is precisely and variously put as ``freedom from fear and want`` and that it entails two cardinal aspects: safety from chronic threats such as hunger, disease and repression, and protection from sudden and hurtful disruptions in the pattern of daily life. A threat to human security ``can be a slow, silent process or an abrupt, loud emergency.⁵⁰³ Absence of human needs are some of the indicators of a threat to human security, and the Hutu refugee crisis in Eastern DRC was a manifestation of human insecurity in all its complexities. The study advances that the absence of human needs saw the refugees grappling with a multiplicity of deficiencies as regards the means to the necessities for survival/ their continued existence, which is human security which starts with the security of the individual, and that refugee warriors in their quest to put a determined fight against the new RPF-led Government; manipulated the human insecurity of the bonafide refugees in order to recruit them into their ranks thus a

⁵⁰¹ Mahmood Mamdani, *Understanding the Crisis in Kivu: Report of the CODESRIA Mission to the Democratic Republic of Congo*, September, 1997.

⁵⁰² Beth Elise Whitaker, *Refugees and the Spread of Conflict: Contrasting Cases in Central Africa*, JAAS 38(2-3):211-231, de Sitter Publications.

⁵⁰³ See, Human Development Report 1994. Also see, UNHCR, *The State of the World's Refugees: A Humanitarian Agenda*, January 1997.

somewhat convergence of human security and state security. This study explains how the militarization of bonafide refugees to cause a threat to their country of origin was structured. This is because, whereas the plight of refugees is delineated when it comes to refugee studies; the theorization about how bonafide refugees particularly in the Great Lakes Region of Africa are co-opted into military threats, still needs exposition. The study argues that human security related issues, metaphorically speaking, are a main thread in the scheme of things that determine the militarization of ordinary refugees. So, this chapter attempts to empirically contribute to what Sarah Kenyon Lischer decried that:

Despite the potential political and security risks posed by refugee situations, no theory exists to explain militarization of refugee populated areas. Thus, the states and agencies adversely affected do not have any systematic framework to guide the development of policy for coping with military activity or affects refugees.⁵⁰⁴

Stephen John Stedman and Fred Tanner in their edited masterwork titled: `` Refugees as resources in War'', delineate the reasons that explain the manipulation of the refugees by the warring parties were: refugees are manipulated because the warriors want to have access to human and material resources as a way of sustaining their quest for political power, the support rendered to the refugee warriors by the external actors; host state, regional states and major powers also sustain the manipulation of bonafide refugees, a weak international refugee regime, with little effort to condemn and thwart the manipulation of refugees also sustains the practice, the political culture of the international community, particularly the United Nations Security Council and the world powers, treating refugee manipulation as a humanitarian than a security threat has also sustained the practice.⁵⁰⁵

From the four reasons that are given, theorization is not elevated to the level of asking how and why the bonafide/ordinary refugees fall prey to the manipulation by refugee

⁵⁰⁴ Sarah Kenyon Lischer *Militarised Refugee Populations: Humanitarian Challenges in the Former Yugoslavia* (The Rosemarie Rogers Working Paper Series, Working Paper 5, August 1999).

⁵⁰⁵ See, Stephen John Stedman and Fred Tanner, *Refugee as Resources in War*, Chapter one, in, Stephen John Stedman and Fred Tanner, eds., *Refugee Manipulation: War, Politics, and Abuse of Human Suffering* (Washington: The Brookings Institution, 2003).

warriors. This study, at this point, should be seen as an attempt to explain the structure of bonafide refugee manipulation.

At this point, in its inquiry, the study based on three data sets, primarily those covering the period in review (1994-2005), including but not limited to: published monographic academic works about Rwanda and reports of Humanitarian agencies, unpublished works and expert opinion, and archival records, particularly the diplomatic correspondences of the United States of America State Department which focused on Rwanda for the period in review.

To further understand the plight of the refugees who went to Congo, evidence of their plight from the mentioned data sets was further cross-examined with a few focused interviews with identified but informative individuals who were actors in the Hutu refugee saga.

As noted in the methodological section of this study, to guard against a retrospective bias, the study only employed the evidence of the informants only to the extent to which it either corroborates or contradicts the evidence gathered from documentary and archival records. As regards the nature of questions which were asked, the study used unstructured interviews, but with an interview guide to orient the trend of the inquiry. However, the tendency to change the phraseology of the questions basing on the subliminal signals of the informants which sometimes indicated discomfort with some questions would not be avoided. But generally the interviews were conducted in a more conversational manner as the respondents were allowed to digress from one line of thought to another so long as the key concerns/targets of the interviews were captured.

First forward, in their predicament, the Hutu refugees in the Congo faced a number of threats to their survival (human insecurities) as a result of unmet human needs. The political elites (former members of the genocide regime) exploited the predicament of the refugees to mobilize, and cajole them into group violence against the new regime in Rwanda.

3.1.1 Hutu warriors profiteering from wretchedness: Manipulation of fear and want of the Bonafide Hutu refugees in Eastern Zaire/Democratic Republic of Congo

At this point the study analyses the challenges to the survival of the ordinary refugees that constituted human insecurities. These challenges are qualitatively analyzed using the data sets earlier mentioned in this chapter. Apart from delineating the challenges to the survival of ordinary refugees, the chapter also outlines how the refugee warriors manipulated the predicament of the ordinary refugees to instigate a resurgence of violence against Rwanda.

First, merely being a refugee constitutes a human security challenge in itself. The very reason why refugees decide to flee their permanent place of abode, in the quest for a safe haven, is but excessive fear. The resolve to wander and the determination to surrender ones fate to the wilderness is a decision which one reaches at after being overwhelmed by fear. Sore put by unbearable conditions at home which may range from the necessity of avoiding ``physical harm, life threatening situations, or imprisonment``, they move in hope for a sanctuary.⁵⁰⁶ They survive on hope and the inevitability of providence for they are overwhelmed by fear; their security is threatened as individuals and as groups.

The Hutus in Rwanda feared but two things:

First, the fear of probable revenge from the victorious Rwandan Patriotic Front forces led to the swift movement of the Hutus out of Rwanda. Cyprian Fisiy categorise this level of fear of the Hutu refugees at three levels; the presumption of guilt as a result of the perception that all Hutus participated in the genocide, the fear of arrest as a result of the presumption of guilt, and fear of blackmail as a result of disputes over property with

⁵⁰⁶ Earl E. Huyck and Leone F. Bouvier, *The Demography of Refugees*, Annals of the American Academy of Political and Social Science, Vol. 467, The Global Refugee Problem: U.S. and World Response (May 1983), pp. 39-61, (Sage Publications, Inc., URL: <http://www.jstor.org/stable/1044927>, Accessed: 03/06/2013 13:10): 40.

mostly the Tutsi returnees.⁵⁰⁷ To this effect, Claude Kayobokye, a returnee who settled in Nyabugogo Rwanda, intimated to the United Nations High Commissioner for Refugees that he fled to Mugunga Congo because he: ``feared to be killed in reprisal massacres`` and that: ``Many, many people were sure the RPF were out to kill any Hutu they found so they fled``.⁵⁰⁸ Also to substantiate this category of fear are the majority of the Hutu refugees who fled after the end of the genocide from Gisenyi and Ruhengeri where majority of the members of the genocide regime, specifically the ``akazu`` (ruling oligarchy), including Habyarimana and his wife Agathe, hailed from.⁵⁰⁹ This was a result of the activities of the clandestine radio stations which continued broadcasting propaganda pointing at a scheme by the RPF to decimate the Hutu population.⁵¹⁰ Specifically, Radio Milles Collines continued broadcasting from an undisclosed location in the French safe zone calling on people to flee.⁵¹¹

The situation was not helped by the reported cases of reprisals presided over by the RPF elements; a situation which Kagame, the then commander of the RPF and Minister of Defence, blamed on the ``new recruits``.⁵¹² Indeed the RPF had grown from 15,000 to 30,000 by August 1994, bringing into its ranks ``new untrained and less disciplined army recruits``, something that made the maintenance of discipline in the ranks cumbersome.⁵¹³ Also during his meeting with George Moose, the then Assistant Secretary of State in Charge of African Affairs, Rugenera, the then Prime Minister of Rwanda acknowledged the: ``deplorable incidents`` were reprisals against the Hutus were carried out and reported instances where repatriated Hutus who returned to claim their property were blackmailed as being guilty of the genocide by the Tutsi occupants in

⁵⁰⁷ Cyprian F. Fisiy, *Of Journeys and Border Crossings: Return of Refugees, Identity, and Reconstruction in Rwanda*, African Studies Review, Vol. 41, No. 1 (April, 1998), pp. 17-28 (African Studies Association, URL: <http://www.jstor.org/stable/524679>), accessed: 03/06/2013 13:12):23-24.

⁵⁰⁸ United Nations High Commissioner for Refugees, *Rwanda Returnee News: Nothing to Fear in Rwanda*, Bi-monthly newsletter of UNCHR-Rwanda, no. 1, April 01-14-2004.

⁵⁰⁹ Howard Adelman, *The Use and Abuse of Refugees in Zaire: April 1996 to March 1997*. Also, see, Human Rights Watch/Africa, *The Aftermath of Genocide in Rwanda: Absence of Prosecution, Continued Killings*, (September 15, 1994): 3-8.

⁵¹⁰ See, 164782 and 164783.

⁵¹¹ 164790.

⁵¹² 1645981.

⁵¹³ 168919.

Southeastern Rwanda.⁵¹⁴ Even those who remained in Rwanda; many were subjected to arbitrary arrests, and Des Forges reported that a considerable number of Hutus were detained ``unofficially`` in ``shipping containers``, ``Private houses`` and ``military installations``. What was unbelievable to her was that almost 20 percent of those who were detained were assumedly innocent and that accusations obtained from property disputes. She decried the disappearance of particularly the Hutu elites and to her; the aura of fear was overwhelming.⁵¹⁵ This trend of events served to disorient even those who never wanted to seek refuge.

Also the chaos in Kigali when the RPF took over the city, with the once disciplined members of the RPF descending on the city, looting and expropriating houses, threatened the Hutus.⁵¹⁶ Thus the latter flew en masse for safety in the Internally Displaced People's camp and then to the refugee camps. An interesting reportage of the way looting was executed came from the Embassy of the United States in Rwanda saying that, ``... the capital assets of Kigali and other towns have been ripped up, sold off and shipped to Uganda and Burundi``.⁵¹⁷ The epitome of the fear among the Hutus were the revelations which were made by the Prime Minister of Rwanda in the Post-Genocide Government, Faustin Twagiramungu during his November 30th 1994, meeting with The Assistant Secretary of State for African Affairs, George Edward Moose and his Deputy, Das Bushnell. The details are graphic: that when the Rwanda Charge in Washington, Joseph Mutatoba excused himself and got out of the meeting, Twagiramungu ``opened up considerably`` (probably Twagiramungu feared opening up in Mutatoba's presence); revealing an incident where an RPA soldier killed people and burnt their bodies beyond recognition as a way of hiding evidence. He also informed his hosts that he was also in deep fear but could not quit.⁵¹⁸ Twagiramungu was a Hutu but working with the RPF government, and indeed his fear speaks volumes about the extent of the aura of fear that hovered over the Hutu community in Post-Genocide Rwanda.

⁵¹⁴ 165065 and 165309.

⁵¹⁵ 165531.

⁵¹⁶ 165143.

⁵¹⁷ 165143.

⁵¹⁸ 165536.

Also the reportage of the attack of the Rwanda Patriotic Army Unit on Busaze camp which left 16 Hutu Internally Displaced People killed and 36 wounded as a result of shots and attacks using bayonets⁵¹⁹; serves to illustrate the callous nature of some elements of the RPF led government when it came to dealings with the Hutu civilians. Unlike other reports of reprisal attacks onto the Hutus, this specific case was verified by the RPF authorities and the UNAMIR forces. Indeed, four RPA officers, who were allegedly culpable, were arrested.⁵²⁰ This kind of fear as a result of the foolhardiness within the ranks of the RPF though may not have been institutionally sanctioned; it served to instill fear among the Hutu populations. They were scared and seeking refuge was the ultimate escape route. In that scheme of things; reconciliation seemed to be a farfetched wish, and in its report, the United States Delegation to Rwanda, Burundi and Zaire concluded thus:

The notion of communal rather than individual responsibility is more pronounced in many African Societies than in our own, (. The) ``sins of fathers`` are visited not only upon their sons but upon their brothers, sisters, cousins and so on.⁵²¹

Accordingly, whereas the finding of the Gersony Report,⁵²² based on anecdotal evidence to incriminate the RPA as regards the revenge deaths against the Hutus,⁵²³ the revelations by the members of the RPF led government, and even Kagame's insinuation that the revenge deaths could only be attributed to indiscipline of the ``new recruits`` attest to the extent of the violence against the Hutu; which created an aura of fear that prompted many to seek refuge in the neighbouring countries particularly Eastern Zaire.

It should be clarified that the anecdotal nature of the Gersony report was unearthed by the parallel on-the ground investigation which was conducted by the United States Defense

⁵¹⁹ 166073.

⁵²⁰ See, 166081.

⁵²¹ 165099.

⁵²² The Gersony report was authored under the leadership of Robert Gersony, the team leader of the Emergency Repatriation Team, with a mandate to find out the: Prospects for Early Repatriation of Rwanda Refugees; who were in Burundi, Tanzania and Zaire.

⁵²³ See, Emergency Repatriation Team, *Summary of UNHCR Presentation Before the Commission of Experts: Prospects for Early Repatriation of Rwandan Refugees Currently in Burundi, Tanzania and Zaire*, http://www.jambonews.net/wp-content/uploads/2010/09/19941010-Transcript-Gersony_Report-16-years-after_.pdf.

Attaché (DATT) for 14 weeks. The parallel investigation found no hard evidence to ascertain the allegations of ``systematic killings`` of the Hutus by the RPF.⁵²⁴ However, it is Cable 0 111701Z Aug 94 from the USA Embassy in Bujumbura to the Office of the Secretary of State of the USA with subject: ``... Documenting atrocities Perpetrated or Permitted by the RPF Forces in Southern Rwanda and Burundi``, that gives the details of the extent of the reprisal attacks against the Hutus by the Tutsi elements. The details are as follows: Nzeyimana, 9 year old from Sake Commune, Mbuye Hill had a bullet wound in lower leg, and all his family was killed. Musabimana, Jean Damascene, 16 years, Birenga Commune, Ngaharana, witnessed ten persons with hands bound, thrown into a ditch and sprayed with bullets. Jean Damascene escaped during the night with a wound in his thigh. Masaka, Jeanne, 25 years, Gashora commune, Rweru Hill. Her husband was killed as well as a child of one month and another of 4 years; she sustained machete wounds in hamstrings. Uwamahoro, ten year old girl, commune Mugesera, Ierambo hill, received machete blows to the head. The boats of two Burundians ferrying people on the Kagera were destroyed by the Ikotanyi (Tutsis), who burned the entire hillside facing Kijakujuha (Burundi) so that fugitives could not hide. A Rwandan boy of 6 or 7 accompanied by his father arrived in Ruzo on July 24. He had two machete wounds. The rest of the family (mother and children) were massacred in Rwanda. Also on July 25: A Burundi refugee arrived from Rwanda with serious bullet and machete wounds. The same day shots were heard from Rwanda and between 10am and 2pm the Red Cross in Mugano received several cases of wounds at Ruzo-Giteranyi, and on July 27: A Rwandan woman arrived at Ruzo with several machete wounds. Her five children were killed. July 28: A Rwandan man arrived at Ruzo with a bullet wound in the temple. Mubaryonsaba, Vistina; 5 years old arrived at Ruzo from Shiryakabiri, Sake commune with a machete wound in the back of the neck. Her father, Jean-Baptiste Bazirahunyuka was killed, July 29: Sentare Gaspari, a Rwandan refugee arrived at Ruzo from Ngaga, Gashora commune, with a bullet in his back, and during the week of July 25 to 30, in Tanzania: A visitor in a car passed a line of Rwandan refugees stretching 8kms toward Ngara-Benako. Always the same testimony: ``They`re killing us in Rwanda.

⁵²⁴ See, 165572.

In addition to the preceding quoted reprisal cases, the same source reminds us of the June 5 1994 murder of the Archbishop of Kigali, the Bishops of Byuma and Kabgayi; and the ten lay men by the RPF elements. We are also reminded of the less publicized April 26 1994 murder of the Spanish Priest Joaquim Vallimajo and the 2 Rwandese Priests in Kageyo near Byumba.

The UNHCR commenting about the reprisal attacks on the Hutu by the elements of the RPA alluded to a somewhat ``systematic policy`` by the RPF to exterminate the Hutus in the South and South East Rwanda in a bid to create a ``Tutsi Land`` --a somewhat territory for the Tutsi. Hard facts to elucidate this assertion are not given for even the figure of those who died, which was put 10,000, was a rough estimate. Also the fact that those who executed the reprisal attacks had ``two way radios`` is not evidence enough to ascertain the ``systematic policy``. Probably a voice interception of the radio messages would have been evidence enough.⁵²⁵ But ``systematic policy`` is just merely a matter of naming. Whether ``systematic`` or not, the revenge killings of the Hutus took place. Even Kagame, the then most powerful individual within the ranks of the RPF acknowledged that: ``individual reprisals and even locally organized ones`` had taken place though were not sanctioned by the government.⁵²⁶ But be that as it may be, the reprisal attacks undermined the efforts towards reconciliation and discouraged the return of refugees and encouraged the continued flow of the refugees most especially those who were internally displaced but in the ``French safe zone`` in the southeast of Rwanda.

These reprisal attacks served the interests of the elements of the former regime who based their propaganda on those reprisal incidents mentioned, among others; to hoodwink the masses into thinking that the only way to survive was by seeking refugee. Indeed, many Hutus trekked, figuratively speaking, bumpy roads in the bumpy quest for a sanctuary. Overwhelmed by fear; their options were limited but to seek refuge. So, the fear of reprisals by the Hutu refugees served the scheme of the former Hutu leaders who wanted

⁵²⁵ See, 189357.

⁵²⁶ 189360.

as many Hutus as possible in Eastern Congo if they were to make a claim at being a legitimate political voice.

Secondly, the fear of the elements of the former regime; the Ex-FAR and the Interahamwe also increased the urge of fleeing among the Hutus. Apart from manipulating the instances where RPF instigated fear among the Hutu masses, these elements Hutu elements used intimidation. The ordinary Hutus were fearfully driven into Kivu region of Zaire as if they were herds of cattle. Howard Adelman was more descriptive when he referred to the Hutu refugees warriors as ``criminal herdsmen``.⁵²⁷ To this effect, Sylvestre Kamana (Remera) intimated to the UNHCR thus: `` The Interahamwe ordered me to flee or they would kill me! ``⁵²⁸That double edged fear; saw an approximation of around 2 million people exiting Rwanda.

The RPF was fully aware of the danger that such a massive refugee flow could pose to the state, and Paul Kagame could not mince his words when he said:

The Rwandese refugees have been my problem. The defense and security of my country have been my problem. I'll deal with them at any cost, by any means that are available to me, with the best knowledge.⁵²⁹

However, the agents of the former regime were enthusiastic about having as many Rwandans as possible in exile. The massive flow of refugees from Rwanda was to the UNHCR not a mere refugee phenomenon but rather: ``a strategic population withdraw by the defeated regime which wished to retain its control over large numbers of people and to establish a hostile military force on the country's borders``.⁵³⁰ The fear for revenge and the propaganda of the former regime of an imminent revenge spree, served against the interest of the RPF to avoid gross refugee flows. Even some Hutus who had decided not

⁵²⁷ Howard Adelman, *The Use and Abuse of Refugees in Zaire: April 1996 to March 1997*.

⁵²⁸ United Nations High Commissioner for Refugees, *Rwanda Returnee News: Nothing to Fear in Rwanda*, Bi-monthly newsletter of UNCHR-Rwanda, no. 1, April 01-14-2004.

⁵²⁹ Philip Gourevitch and Paul Kagame, *After Genocide: A conversation with Paul Kagame*, (Indiana University on behalf of the W.E.B. DuBois Institute, URL: <http://www.jstor.org/stable/2935367>, accessed: 03/06/2013 13:16):193.

⁵³⁰ *Ibid.*

to flee, as a result actual attacks from their Tutsi neighbours, they ended up in exile. Leodegard Kagaba, who was still a refugee in Uganda by April, 22nd, 2013, lamented that he had decided not to flee Rwanda, but when his Tutsi neighbours attacked him and shot him in the belly, he ran away becoming a refugee in the Nakivale refugee settlement in Uganda. He narrated that: ‘‘I have many scars, even in my heart’’, again: ‘‘....The people who put those scars on me still leave freely in Rwanda’’. Mutabazi also ran away from Rwanda after serving his 16 years jail sentence because of genocide related crimes, and on release: ‘‘everyone in my village saw me like an animal’’, he thus flew to Uganda.⁵³¹

Refugees moved en masse from Rwanda to Eastern Congo. The refugee warriors were determined to wage a decisive civil war against the new regime in Kigali using the camps in Congo as their bases.⁵³² Bukavu was their centre of activity.⁵³³ Many of them had entered Zaire with their weapons.⁵³⁴ Some members of the international community were worried that some international actors would exploit this scheme of things to become accomplices in the attempt of the former Hutu leadership to destabilize Rwanda. Carson of the United States could not hide his sentiments thus:

We should discourage stridently the French not to undermine the new RPF government and to actively discourage Mobutu from doing so. The presence of the Hutu militia in Zaire will be a temptation for the wicked minds.⁵³⁵

However to General Dellaire of the UNAMIR, the worry of a resurgence of violence was even more pronounced. His point of contention was that the creation of large Hutu camps in Zaire and Tanzania would facilitate the emergence of guerillas, and that the French would be party to that scheme of things unless the refugees are encouraged to return home.⁵³⁶ However, General Dallahire’s misgiving about the French are not well

⁵³¹ TAIPEI TIMES, *Uganda, Rwandan Hutus fear genocide reprisal if forcefully repatriated*, AP, Nakivale, Mon, April 22, 2013-Page 6, URL: <http://www.taipeitimes.com/news/world/archives/2013/04/22/2003560437>.

⁵³² See 166123.

⁵³³ 164730.

⁵³⁴ 164789.

⁵³⁵ Cable Y8; July 1994.

⁵³⁶ 164790 and 165305.

corroborated by his subsequent stance about the French operation in Rwanda. It is reported he was full of praises of the ``operation Turquoise`` and how it had saved life.⁵³⁷ So, one wonders what made him to think that the French would harbor ill intentions of using the Hutu refugees to destabilize Rwanda. A telephone interview with the General would not be granted to the researcher, and indeed it is written clearly on his website that he does not grant personal interviews. This study takes his change of attitude as an outcome of the subsequent events which he probably was referring to in his praise-singing comments about the French operation.

Be that as it was, the need was high, ``...not to allow the elements that have been moved to solidify into an organized group bent on invading Rwanda``.⁵³⁸ But the task was daunting for the international community and to the authorities in Kigali that by September 8th, 1994, signs of a resurgence of violence were visible that the United Nations Military Personnel spotted men in military fatigues with guns and supplies crossing into South West Rwanda from Burundi and Zaire.⁵³⁹ By 1995, the estimated human capacity of the refugee warriors had grown to 50,000 men.⁵⁴⁰ The largest concentration of the former Rwanda Armed Forces (ex-FAR) and the militias was, ``...along the Goma-Bukavu axis``, and that the situation posed a great threat to the security of Rwanda and to international humanitarian efforts.⁵⁴¹

Sadako Ogata decried the refugee camps in Bukavu as being ``highly political`` and that the bonafide refugee in-there were feeling increasingly insecure as a result of the militarization of the camps.⁵⁴² Indeed it was reported by the Libreville Radio station that it is from Goma and Bukavu that the militias coordinated the movement of their troops even to other areas like Benaco camp in Tanzania where they wanted to create a ``a new army`` to bulwark their efforts at another frontier.⁵⁴³ Attesting to that determination are

⁵³⁷ 165349.

⁵³⁸ 165056.

⁵³⁹ 165057.

⁵⁴⁰ Human Rights Watch, Rwanda/Zaire, *Rearming with Impunity: International Support for the Perpetrators of the Genocide*, Vol. 7, No.4, May 1995.

⁵⁴¹ 165099.

⁵⁴² 166259.

⁵⁴³ 165318.

the words of Col. Theoneste Bagasora during the interview which he had with Human Rights Watch. He affirmed that they were determined to:

``Wage a war that will be long and full of dead people until the minority Tutsis are finished and completely out of the country``⁵⁴⁴

The massive movement of refugees from Rwanda to Congo, accompanied by the Interahamwe and Ex-FAR officers and men⁵⁴⁵ legitimized the political activities of the latter. They even took over the control of refugee camps from the aid agencies and actually constituted a somewhat government in exile. To Twagiramungu, the then Prime Minister of Rwanda after the genocide, camps constituted ``mini states`` and that receiving states had to ``dismantle them``.⁵⁴⁶

The French under the United Nations authorized ``Operation Turquoise``, were consciously or inadvertently accomplices in this scheme of things as they created a somewhat safe route in Southwest Rwanda that allowed the escape of the members of the former genocide army, bureaucracy and militias.⁵⁴⁷ It would have served justice better if the French had screened the fleeing leaders for future prosecution of genocidal crime upon the institution of the International Tribunal; whose formation they professed to support. But to the then Prime Minister of France, Edouard Balladur, it was that:

``... we respect all UN Decisions`` `and will support their action but`, ``we will not be the police in this affair``, `to make arrests`. ⁵⁴⁸

Another incident which seemed to betray the humanitarian guise of the French ``Operation Turquoise`` was the way the French troops demonised the Ethiopia battalion

⁵⁴⁴ Human Rights Watch, Rwanda/Zaire May 1995.

⁵⁴⁵ Human Rights Watch, May 1995.

⁵⁴⁶ 165536.

⁵⁴⁷ *Ibid.*, Also see, Adelman, *The Use and Abuse of Refugees in Zaire*, 1997 and United Nations General Assembly, Executive Committee of the Programme of the United Nations High Commissioner for Refugees, Forty-eighth Session, Summary Record of the 518th Meeting, Held at the Palais des Nations, Geneva on Tuesday, 14 October 1997, at 10 am, Theme: Repatriation Challenges, Distr. General, A/AC.96/SR.518, 17: 19 October, 1997. See, 164790, 164954

⁵⁴⁸ 164757

(the ETHIOBATT)⁵⁴⁹ which were part of the United Nations Mission that replaced the French led mission. The initial interest of some French elements was to ensure that the French troops are replaced with troops from French speaking Africa countries. This explains the misgivings of the French as regards the Ethiopian troops for they had no historical ties with France thus under no moral obligation to serve the interests of France in this system of things. The French soldiers, ``...had actively told the populace that the Ethiopians all spoke English, were brought in to support the RPF/RPA, and were opposed to Hutus and the ex-GRF`` (sic).⁵⁵⁰ If the statement in quotation is to be inversely looked at, it seems to suggest that to the French, the mission was not for the sake of all the Banyarwanda but for the safety of the Hutus and elements of the former regime; otherwise why demonise troops whose membership could not even ably communicate in English. It was reported that the Ethiopians could hardly communicate in English an issue that undermined their ability to communicate with the natives.⁵⁵¹ It is no wonder therefore that as a result of the level of demonization of the Ethiopian troops by the French, as the French operation was coming to an end, 400,000 Hutus had to exit the French Zone en route South Kivu.⁵⁵²

Also the failure of the French peacekeeper to reign on the extremist Radio stations that continued to operate clandestinely in the ``safe zone``, fueling continued movement of refugees in the ``Safe Zone`` betrays the supposedly humanitarian intentions of the operation.⁵⁵³ So, despite the praise which the operation received from humanitarian authorities like General Delleire⁵⁵⁴ and the International community at large, the issues outlined above do not serve to show that the French operation was flawless. But what was even more suspect was the fact that the French had intervened militarily into Rwanda for

⁵⁴⁹ According to Henry Kwami Anyidoho, in, *Guns over Kigali: The Rwandese Civil-War-1994 (A Personal Account)* (Kampala, Fountain Publishers, 1998), ETHIOBATT was the code name for the Ethiopian Battalion which was part of the UNAMIR Peace keeping Mission in Rwanda.

⁵⁵⁰ 165112.

⁵⁵¹ 165112.

⁵⁵² 168783 and 169113.

⁵⁵³ 166221.

⁵⁵⁴ See, 165349.

three phrases in a span of only four years. The spirit of interventionism exhibited by the French figuratively speaking; was taken in by the RPF with a grain of salt.⁵⁵⁵

The Zairian authorities also countenanced the activities of the ex-FAR and the *interahamwe*; allowing them to recruit, train and engage in political socialization activities within the camps. Camps were used for the indoctrination of the refugees by use of genocidal propaganda and revised history. The emphasis was on the complete annihilation of the Tutsi people; as the documents discovered at Mugunga camp in 1996 revealed.⁵⁵⁶ Des Forges reported of ``moderates in camps becoming radicalized`` as the elements of ex-FAR published Newspapers and pamphlets. The hate propaganda materials were circulated in camps by the camps leadership which was generally made up of the elements of the former regime.⁵⁵⁷ Zairian military facilities were put at the service of the refugee warriors in a bid to facilitate their military advancement.⁵⁵⁸

Consequently, Mugunga which was the centre of Hutu refugee warrior propaganda became a somewhat capital of the Hutu warriors. To this effect, Johan Pottier noted thus:

Mugunga (Goma, Zaire), the second camp I worked in, is known as a ``safe haven`` for the defeated Forces Armees Rwandaïses. Some 20,000 ex-FAR and their families now live in Mugunga.⁵⁵⁹

And to the alarm of Médecins Sans Frontières (MSF):

The instigators of the genocide (were taking control) of the camps in an increasing systematic way, and (blocking) the return of refugees.... They are free

⁵⁵⁵ Theogene Rudasingwa, *Secretary General, Rwanda Patriotic Front, Genocide and French Military Intervention in Rwanda: Myths, Facts and Prospects for Change*, mimeo (Oxford, London, 2nd July 1994).

⁵⁵⁶ Adelman, *The Use and Abuse of Refugees in Zaire*, 1997

⁵⁵⁷ 165531.

⁵⁵⁸ Human Rights Watch, 1995.

⁵⁵⁹ Johan Pottier, *Relief and Repatriation: Views by Rwandan Refugees; Lessons for Humanitarian Aid Workers*, African Affairs, Vol. 95, No. 380 (July., 1996):403-429, URL: <http://www.jstor.org/stable/723574>, accessed: 03/06/2013 13:12.

to come and go between camps, and manipulate the refugees through controlling the flow of political information.⁵⁶⁰

Surprisingly though, at a certain point, the authorities in Zaire, particularly the then Prime Minister Kengo; was floating the idea of facilitating the secondary movement of the leaders of the former genocidal regime to third countries to seek asylum as a way of removing them from the areas near the border of Rwanda.⁵⁶¹ Regards of the merits and demerits of the plan, by not mentioning the idea of screening them first so that those who were culpable of the genocide could be arrested in preparation for prosecution, his suggestion could either be construed or misconstrued as an attempt by Zaire to secure a safer haven for the genocidaires. Indeed in his correspondence to Mr. Moose, Terence .P. McCulley, considering the idea of Zaire to move the leaders of the former regime to a third country, observed thus:

The ex-FAR and IGOR (former Interim Government of Rwanda) contains people guilty of genocide, and as we move forward with a War Crimes Tribunal for Rwanda, we need to consider that many of those we propose to relocate may be suspected war criminals.

General Augustin Bizimungu,⁵⁶² the chief of the Hutu refugee warriors even attempted to curve a sphere of influence from the Kivu region of Zaire to be used as the centre of his violent incursions into Rwanda.⁵⁶³ Worth noting is that historically the Kivu province of DRC has been a sanctuary for several Rwandan insurgents across two historical moments: post-colonial and post-1959 as discussed in the chapter preceding this. Accordingly to Mamdani:

⁵⁶⁰ *Ibid*, quoting, Le Soir, 28 July 1995.

⁵⁶¹ 165109.

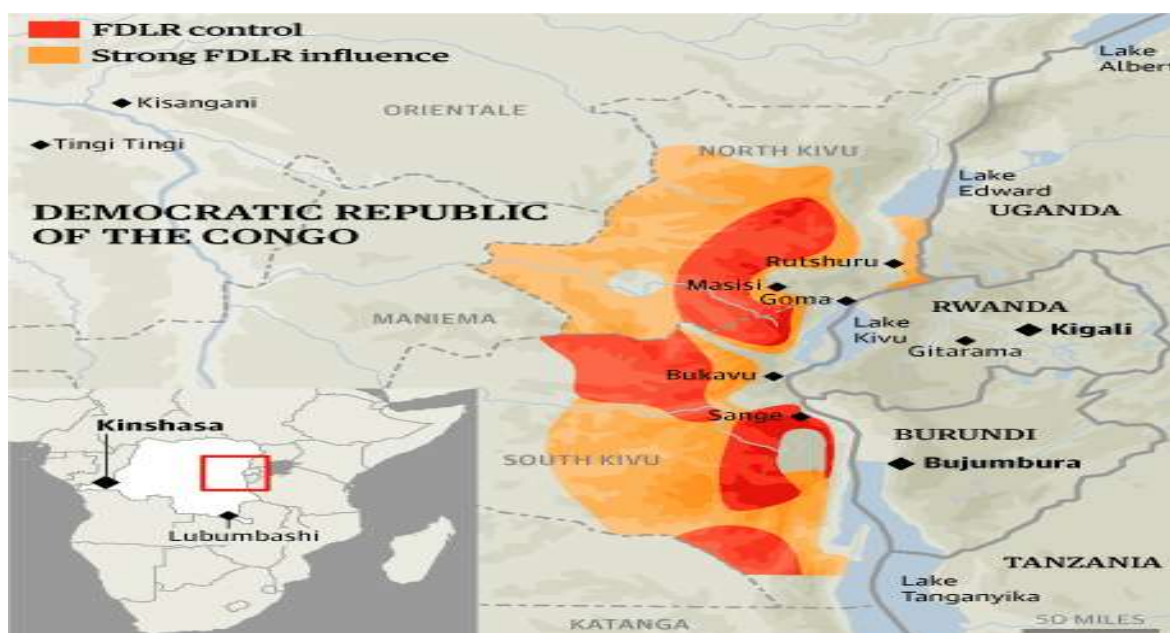
⁵⁶² Colonel Bizimungu Augustin, who was a Chef D'état Major in the genocide regime, was number 142, on the not exhaustive list of those who were at the vanguard of the genocide, dubbed, ``The List of People who Masterminded Rwanda Genocide and Massacres`` which is appendix 1, to the: Report by The Pan African Movement (PAM) Delegation, Fact-Finding Mission to Rwanda, 5th-8th June 1994:31-40.

⁵⁶³ United Nations High Commissioner for Refugees, *The State of the World Refugees*, Chapter 10, *The Rwandan Genocide and its aftermath*, 2000, 258-259.

“Conventional wisdom in Goma and Bukavu has it that Kivu Province is where losers in Rwanda traditionally end up; and it is from Kivu that they prepare to return to power in Rwanda.”⁵⁶⁴

Surely a sphere of influence for the Hutu warriors was curved out of Eastern Congo, that by September 2000 when the Army for the Liberation of Rwanda united with ex-FAR military command to form the *Forces Democratiques de liberation du Rwanda* (FDLR), Eastern Congo was tainted with FDLR influence as illustrated by the 2008 map below:

Adopted Map 1: The Hutu Refugee Warrior sphere of influence in the Eastern Congo



Map adopted from McGreal, *The roots of war in eastern Congo*, *The Guardian*, Friday 16 May 2008, 00.29 BST, [URL:http://www.theguardian.com/world/2008/may/16/congo](http://www.theguardian.com/world/2008/may/16/congo) .

⁵⁶⁴ Mahmood Mamdani, *Understanding the Crisis in Kivu: Report of the CODESRIA Mission to the Democratic Republic of Congo, September, 1997* (Centre for African Studies University of Cape Town, November 20, 1998).

Agreeably, camps, particularly the Goma camps, were later to be used as recruiting and training grounds for those who were to attack the frontiers of Rwanda in a bid to make Rwanda ungovernable for the Rwanda Patriotic Front. Camps also acted as armories for weapons.⁵⁶⁵ Young recruits were sourced from refugee camps.⁵⁶⁶ Registration of those who were entering camps was put in the hands of those who were part of the genocide administrative infrastructure. The UNHCR either out of human resource constraints or sheer lack of security intelligence even grouped refugees according to their former communes in Rwanda; putting them under the supervision of their former leader—a *bourgmestre*. To that effect:

Soldiers of the defeated Rwandan army retained both their cohesion and many of their weapons and pitched tent just outside civilian camps. A common sight at the entrance to each camp in those days was a Mercedes saloon, still sporting Rwandan license plates, full (of) men in dark suits and sunglasses, handing huge piles of cash to young camp thugs (sic).⁵⁶⁷

This trend of events gave the elements of the former genocide regime a leverage to control the bonafide refugees and consequently manipulated them into joining their violent schemes.⁵⁶⁸ Indeed by August 1994, the ex-FAR (*Forces Armées Rwandaise*) and the *interahamwe*, and their new recruits from the bonafide refugees under the rebel movement, Army for the Liberation of Rwanda (ALIR); had already embarked on a resurgence of violence against the new RPF government in Rwanda.⁵⁶⁹ Melvern notes

⁵⁶⁵ See, Sallie Simba Kayunga, *Challenges facing the Kabila Government of the ``Democratic`` Republic of the Congo*, Paper DSP No.1/1997/98, Department of Political Science and Public Administration, mimeo, Makerere University, 15 October, 1997. Also see, 164797.

⁵⁶⁶ Melvern, *A People Betrayed*, 2009, 249.

⁵⁶⁷ Ray Wilkinson, *Cover Story: Heart of Darkness*, Refugees Magazine Issue 110 (Crisis in the Great Lakes), 1 December 1997. Also see, David Forsythe, UNHCR's mandate: the politics of being non-political, *New Issues in Refugee Research*, Working Paper No. 33, March 2001, <http://www.unhcr.ch/refworld/pubs/pubon.htm>.

⁵⁶⁸ Johan de Smedt, *Child Marriages in Rwandan Refugee Camps*, *African: Journal of International African Institute*, Vol. 68, No.2 (1998), pp. 211-237, URL: <http://www.jstor.org/stable/1161279>., also see, Howard Adelman, *The Use and Abuse of Refugees in Zaire: April 1996 to March 1997*, <http://www.stanford.edu/~sstedman/2001.readings/Zaire.htm>.

⁵⁶⁹ Richard Orth (Former US Defense Attaché in Kigali) *Rwanda's Hutu Extremists Insurgency: An Eyewitness Perspective*, in, Susan E. Cook, editor, *Genocide in Cambodia and Rwanda: New Perspectives* (Yale Centre for International Area Studies, Genocide Studies Program Monograph Series no.1, 2004): 227-235., Jeff Crisp, *Africa's Refugees: Patterns, Problems and Policy Challenges*, in, *New Issues in Refugee Research*, Evaluation and Policy Analysis Unit, UNHCR, CH-1211, Geneva 2, August

that USD 6.3 million had been budgeted for the ``Guerilla phase`` in arms and ammunitions, with the whole insurgence budgeted at USD 50 Million.⁵⁷⁰ This made the reconstruction of Rwanda from the ruins of the civil war that culminated into the genocide a process hard to fathom; dented by a resurgence of violence. The new Government in Rwanda was not only undermined by the criminal violence of executed by its soldiers against the Hutu people something that threatened the refugees from returning, but also the political violence which was presided over by refugee warriors in Eastern Zaire (now DRC).⁵⁷¹ As regards to whether the Hutu warriors were recruiting from the refugee camps, a Former Intelligence Officer in the Uganda Peoples Defense Forces who preferred unanimity said the following during a personal interview:

Because we were interested in the developments in Rwanda and Zaire, our intelligence system was very active on that front. We knew that the Hutu belligerents in Zaire were recruiting child soldiers from the refugee populations, abductions were the order of the day, and merciless killings were executed on those who refused to join. We used share this intelligence information with our allies, RPF⁵⁷²

Also a veteran Lieutenant with the RPF who also preferred unanimity for he took the oath of secrecy informed the researcher that:

... Our intelligence into what was going on in the camps in Eastern Congo was somehow negligent because of lack of experience and resources, but remember we were not alone in this endeavour. Our counterparts in Uganda were helpful. The shared with us information as regards the activities of the interahamwe in Zaire (sic). But even through our seemingly weak intelligence capacity, we knew

2000., and Beth Elise Whitaker, *Refugees and the Spread of Conflict: Contrasting Cases in Central Africa*, de Sitter Publications, JAAS 38 (2-39):211-231.

⁵⁷⁰ Melvern, *A People Betrayed*, 2009, 248.

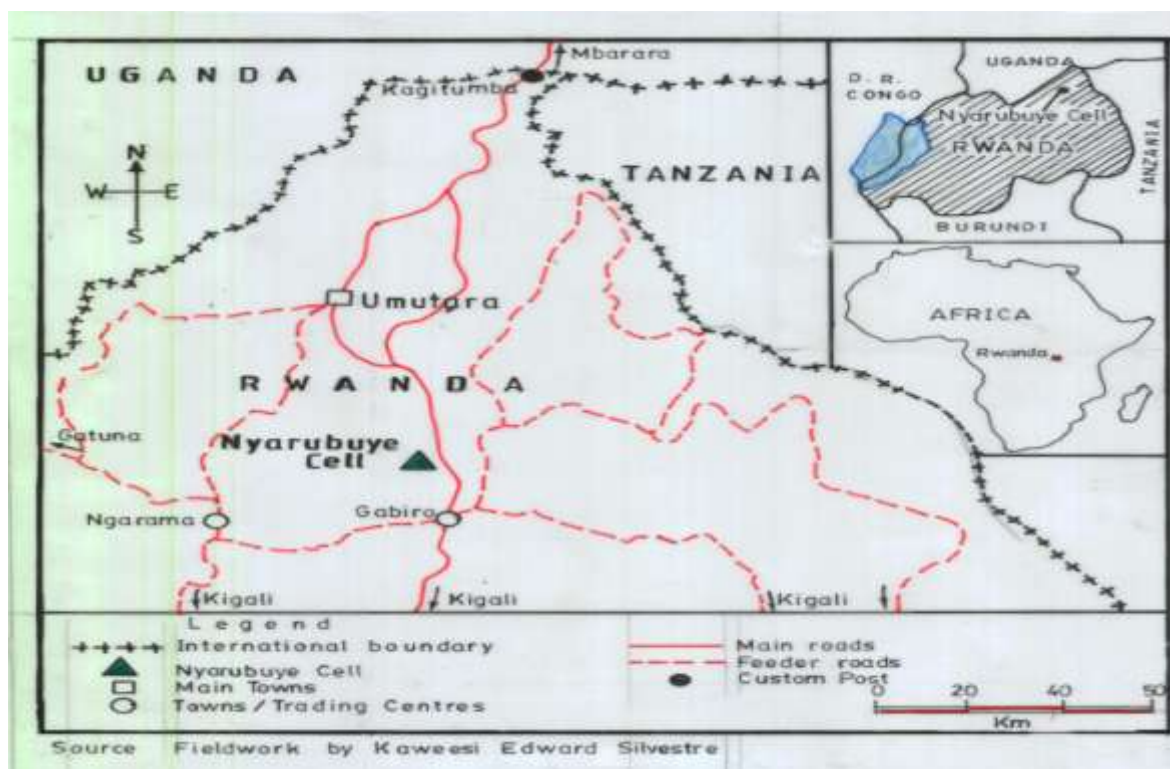
⁵⁷¹ Explaining the difference between criminal violence and political violence, Sarah Kenyon Lischer, in, *Militarised Refugee Populations: Humanitarian Challenges in the Former Yugoslavia, August 1999*, observes that political violence as opposed to criminal violence is ``organised as violent activity for political goals``, and that it sometimes happens in refugee camps. Sarah observes that political violence involving refugees entails: cross border raids by militias based in or near refugee camps, attacks on the refugee population by the sending state, or military involvement by the refugee receiving and/or sending states.

⁵⁷² A Personal Interview with the Former Intelligence Officer, Uganda Peoples Defence Forces, taken, on January, 23rd, 2014, the name and location of interview are withheld on request.

for sure that the genocidaires were recruiting from the refugee populations, training and arming them very quickly. It was a headache for us.⁵⁷³

The location map of the informant is as follows:

Map 2: Map of Rwanda (based on the old administrative map of Rwanda before 2006) indicating the location of Nyarubuye Cell , Study Area, in Rwanda



Further on the manipulation of the massive flow of Hutus into Zaire, they were held hostage by the elements of the former regime, putting them at the service of their violent schemes something that further undermined the already fragile security of the individual refugees.⁵⁷⁴ This negates the view that bonafide refugees countenanced the activities of the warriors as some scholars have alleged. Indeed, some refugees tried to escape, most especially in the night in a bid to return to Rwanda but clandestinely. Militarization of

⁵⁷³ Personal Interview with a retired Lieutenant, a veteran of the RPA; now a farmer in the rural areas of Nyarubuye Cell, Gabiro District of Umutara Province, taken on July 27th, 2013.

⁵⁷⁴ United Nations High Commissioner for Refugees, *The State of the World Refugees: A Humanitarian Agenda*, Chapter 1, *Safeguarding human security* and Chapter 10, *The Rwandan Genocide and its aftermath*, 1997, 246-248.

camps never meant the absence of those who did not participate in the genocide. Indeed majority of the refugees were to say the least of it: victims of circumstances.⁵⁷⁵ But determining circumstance is beyond the realms of the possible, and for that matter; the bonafide refugees, with little room to exercise their conscience, allowed a human shield to the refugee warriors who hid in refugee camps. The camps allowed the refugee warriors a congenial somewhat natural habitat for planning and execution of their rather wanton schemes.⁵⁷⁶

However, beyond manipulation of the refugees was the belief even among some ordinary refugees that their stay in exile was meant to facilitate their re-organisation into a formidable force to oust the Tutsi dominated Government in Kigali in the future to restore the ``Hutu power`` glory. This negates the assertion that all refugees were literally driven into refuge by the former Hutu leadership. For some ordinary Hutus it was a strategy for re-organisation. To that effect, Johan de Smedt notes thus:

Some adults told me it would be good to have as many children as fast as possible, to make up for all the people who had been killed (and so repeat the RPF's success story: breed a Hutu army and take Rwanda by force). For this reason, they said, there should be no objection to so many young people getting married and having children.⁵⁷⁷

Therefore, it is this system of things that make the militarization of the Hutu refugee camps in the former Zaire, now DRC a classical case of the refugee warrior

⁵⁷⁵ Jacques Depelchin, *General Report, Theme 4: African Research on Ethnicity and Conflicts: Responses*, Codesria Conference on Academic Freedom, Social Research and Conflict Resolution in the Countries of the Great Lakes (mimeo, Arusha International Conference Centre, Arusha, Tanzania, 4-7 September 1995):17.

⁵⁷⁶ See, James Turner Johnson, *Maintaining the Protection of Non-Combatants*, *Journal of Peace Research*, vol. 37, no. 4, 2000, pp. 421-448, Sage Publications (London, Thousand Oaks, CA and New Delhi):437., Sarah Kenyon Lischer, *Militarised Refugee Populations: Humanitarian Challenges in the Former Yugoslavia*, Working Paper 5 (The Rosemarie Rogers Working Paper Series, August 1999) and., Stephen John Stedman, Fred Tanner, eds., *Refugee Manipulation: War, Politics, and the abuse of human suffering* (Brookings Inst Pr, June 2003), particularly Chapter one (1), and Chapter four (4) by Howard Adelman., and Idean Salehyan and Kristian Skrede Gleditsch, *Refugees and the Spread of Civil War*, *International Organisation*, Vol. 60, No. 2 (Spring, 2006), pp. 335-366.

⁵⁷⁷ Johan de Smedt, *Child Marriages in Rwanda Refugee Camps*, *Journal of International African Institute*, Vol. 68, No. 2 (1998), pp.211-237, Cambridge University Press, <http://www.jstor.org/stable/1161279>.

phenomenon.⁵⁷⁸ But the question remains: What made it easy for the elements of the former regime to mobilize in a manipulative manner the refugees into group violence?

Sarah Kenyon Lischer, particularly sharply explains the militarization of the refugee camps in Eastern DRC. She delineates the nature of the political violence that the refugees engaged in against their motherland, Rwanda. She however leaves a somewhat scholarly gorge as she little does explain in detail the mechanisms through which the refugee warriors manipulated the bonafide refugees into joining the web violence which structured a resurgence of violence in Rwanda.⁵⁷⁹ Also, as an inherent flaw in her analysis, Kenyon bases on anecdotal evidence to give topicality to her rather hypothetical arguments. Drawing from other data sets, particularly the diplomatic correspondences of the United States of America on the Hutu refugee crisis, the study argues that the human security concerns of the refugees were manipulated by the refugee warriors to recruit them into the violent activities that marked a resurgence of violence in post-conflict Rwanda.

Accordingly, if we are to go back to our treatment of the nature of the resurgence of violence in Rwanda, it needs emphasis that what began as a result of fear by the Hutu refugees was later to undermine the very security of the Rwandan state. By January 1995 ``Sketchy reports of border incursions... into Western Rwanda`` with the ex-FAR being outlined as being culpable were made.⁵⁸⁰ And the first incident of the beginning of a resurgence of violence was reported in the Cyangugu province of Rwanda where the RPA engaged in an armed exchange with the ex-FAR.⁵⁸¹ Using camps in Congo as their rare bases for arms replenishment, training and recruitment, the Hutu refugee warriors⁵⁸²

⁵⁷⁸ See, Kristen Mcconnachie, *Rethinking the 'Refugee Warrior': The Karen National Union and Refugee Protection on the Thai-Burma Border*, Journal of Human Rights Practice Advanced Access Published March 6, 2012:1. , Sarah Kenyon Lischer, *Refugee Involvement in Political Violence: qualitative evidence from 1987-1998*, in *New Issues in Refugee Research*, Working Paper No. 26 (Cambridge, MA 02139; Centre for International Studies; Massachusetts Institute of Technology, July 2000):1, and Idean Salehyan and Kristian, 2006.

⁵⁷⁹ See, Lischer, *Refugee Involvement in Political Violence*, 1995, 18.

⁵⁸⁰ See, 166081.

⁵⁸¹ 166085.

⁵⁸² A term coined by Aristide Zolberg, Astri Suhrke, and Sergio Aguayo, in, *Escape from Violence: Conflict and the Refugee Crisis in the Developing World*, Oxford University Press, USA (October 22, 1992). They refer to `` refugee warriors`` as: highly conscious refugee communities with a political

carried out incursions into Rwanda with the first one code named *Operation Insecticide*, targeting Inyenzi (Tutsi cockroaches); with several attacks made by the refugee warriors in the Northwest and Southwest of Rwanda during the period 1995-1996.

The second incursion code named, *The First Operation Alleluia*, started in October 1997, but this one targeted mostly the Congolese Tutsi refugees in Gisenyi, and it culminated into the Mudende Massacres. *The Second Operation Alleluia* which started in September 1998 was focused on Goma and Gisenyi areas, and was followed by *Operations Amen and Odyssey* between June and July, 1999-2000, then the *Operation Oracle du Seigneur* between May to December 2001, with a number of battle fought inside Rwanda. *Operations Trompete and Tabara* were launched in September and October 2003 from South Kivu, and the last major incursion code named *Operation la Fronde*, started in 2004 and was vanquished in early 2005.⁵⁸³ It is these serialized operations by the Hutu refugee warriors that factually inform the period in review by the study that is (1994-2005). A resurgence of violence made the reconstruction efforts hard a task; that by September 1996, war had resumed in Western Rwanda, and the Hutu warriors had enough military capacity even in the initial days of the resurgence of violence for they had entered into Eastern Congo with tons of light weapons, ``armored cars, field artillery, four operational helicopters and a light fixed wing attach``, and had troop capacity of approximately 50,000 men.⁵⁸⁴

The refugee crisis culminated into a somewhat ``security dilemma complex`` which conflated the ``insecurity dilemma complexes``⁵⁸⁵ for the new regime in Rwanda. External forces were facilitating the resurgence of violence. The prophetic insight of

leadership structure and armed sections engaged in warfare for a political objective, be it to recapture the homeland, change regime, or secure a separate state.

⁵⁸³ Rusagara, *Resilience of a Nation*, 2009, 199.

⁵⁸⁴ Adelman, *The Use and Abuse of Refugees in Zaire*, 1997. Also see, Melvern, *A People Betrayed*, 2009, 249

⁵⁸⁵ As earlier noted in the conceptual part of this study; according to Brian L. Job, the security challenges to the state typical in Africa are largely from within. He terms this situation as the: ``insecurity dilemma complex`` as opposed to the security dilemma—where the threat to the state is external. He explains that the insecurity dilemma complex in most African countries is a result of ethnicised politics: where the struggle for power becomes a tribal issue. He reasons that the government in power becomes a representation of the interests of a certain ethnic group: thus absence of national cohesion, as people are divided along ethnic lines.

Pierre Buyoya, the once President of Burundi, that the Rwandan refugee crisis was a ‘time bomb’ came to pass.⁵⁸⁶ The situation was not just a refugee crisis gone riotous but rather a camouflage of an external-cum-international security threat. The refugee crisis was literally amplified by the continued logistical and moral support which the refugee warriors were receiving from some members of the government of Zaire (Now The Democratic Republic of Congo), who were particularly acting as somewhat conduits for arms to the refugee warriors from other external actors who were optimistic and opportunistic that continued incursions by the warriors would turn into a formidable force to undermine and consequently overthrow the RPF government. It should be noted that Zaire was making a claim of having disarmed the former Rwandan Military and militia elements to the level of eighty percent (80%) but the whereabouts of the arms were not known.⁵⁸⁷ The Human Rights Watch Report of May 1995 reported that the heavy weaponry, including: French-Made AML 60 and AML 90 armored cars, 120mm armored mortar carriers, anti aircraft guns, rocket launchers, howitzers, mortars and military trucks, which the ex-FAR sneaked with into Zaire; where being serviced and kept at Zaire military base but under the maintenance of the ex-FAR soldiers.⁵⁸⁸ This means that the ex-FAR were in control of these armories and could use them when need arose. This left room for doubt that probably they were clandestinely handed back to the militias.

To the external actors like France, the new regime in Kigali was destined to be short-lived, and was considered to be illegitimate among many Rwandans.⁵⁸⁹ The Human Rights Watch notes that France, Zaire and South Africa directly supplied arms and facilitated the insurgents with military training. Nationals of France are reported to have participated in the training and re-skilling of the former Rwanda army in exile and that the authorities in France were in the know as of these clandestine activities presided over by their nationals.⁵⁹⁰ UNAMIR intelligence and the UN and NGOs reports seemed to give currency to the allegations that the Government of France was arming the Hutu

⁵⁸⁶ 189377.

⁵⁸⁷ 168919.

⁵⁸⁸ Human Rights Watch, *Rearming Rwanda with Impunity*, May, 1995.

⁵⁸⁹ See, United Nations General Assembly, Executive Committee of the Programme of the United Nations High Commissioner for Refugees, 17 October 1997.

⁵⁹⁰ 166226.

militias in Goma.⁵⁹¹ It is also reported that arms shipments from Eastern Europe and China were reaching the Hutu camps under the facilitation of the Government of Zaire and that Mobutu (the then President of Zaire) was *au fait* with the system of the activities.⁵⁹² As far as arms deals for the Hutus were concerned the former Intelligence Officer of the UPDF had this to add:

It was not just the French, links had been connected by the Hutus to USA and Russian firms who were dealing in arms in exchange for minerals in Eastern Congo were the Rwandan Hutu former leaders had joined in the timber, copper, Gold, Diamond and Uranium business. Former Hutu ministers who sought refuge in Congo already had their contacts in Europe and USA. They had money to sustain fire (meaning violence) against Kigali. In Uganda we knew through our informers in Eastern Congo (sic). We had infiltrated the Hutu ranks with informers because we knew that they threatened Rwanda and us. You remember the attack of the Interahamwe on the 14 tourists who had gone to visit the Bwindi National Park (in reference to the kidnapping of the 14 tourists of which 8 were killed when the interahamwe militias raided the Bwindi National Park in Uganda in 1999).⁵⁹³

According to the International legal regime governing refugees, the onus is upon the host state to ensure the demilitarization of refugee camps. Tanzania was able to disarm the refugee warriors on entry into its territory and thwarted further refugee militarization,⁵⁹⁴ most probably owing to its state capacity and not harbouring any political agenda. Zaire, owing largely to its political interests and the lack of state capacity to disarm the refugees,⁵⁹⁵ it did not only allow the senior Hutu refugees warriors free movement in

⁵⁹¹ 166236.

⁵⁹² 166226.

⁵⁹³ Personal Telephone interview with a Major in the UPDF who served as an intelligence officer in the UPDF. The interview was taken on 04/08/2013.

⁵⁹⁴ See, Beth Elise Whitaker, *Refugees and the Spread of Conflict: Contrasting Cases in Central Africa*, (de sitter Publications, JAAS 38 (2-3):211-231: 223. Also see, United Nations High Commissioner for Refugees, *The State of the World Refugees, The Rwandan Genocide and its Aftermath*, 250.

⁵⁹⁵ Idean Salehyan, *The Externalities of Civil Strife: Refugees as a Source of International Conflict*, American Journal of Political Science, Vol. 52, No. 4 (Oct., 2008), pp. 787-801, URL: <http://www.jstor.org/stable/25193850> , accessed: 03/06/2013 13:13:793.

Zaire with Zairian military escorts, it also diplomatically defended them.⁵⁹⁶ Payne Lucas, the Co-Chair of the High Level Presidential Mission to Central Africa, while summarizing the report of his mission to Rwanda and Zaire, he particularly decried the fact that the armed forces of Zaire, instead of bringing sanity in the camps, they became party to the insecurity in camps.⁵⁹⁷ They engaged in looting and shooting to scare way the victims of their machinations.⁵⁹⁸ The role of Zaire in this scheme of things fits into what Dennis McNamara, the UNHCR International Protection director, referred to as the ``dramatization of the refugee problem`` as the refugee crisis was worsening.⁵⁹⁹

Zaire private cargo companies were used to deliver arms shipments to the refugee warriors. Zaire Military officers acted as middle-men between the Hutu warriors and the arms dealers. Nigerian arm traffickers were shipping arms into Goma,⁶⁰⁰ and it is unlikely that elements of the Zaire army were not accomplices. Zaire officials even assisted in the setting up of military-cum-civilian camps on the Zaire border with Rwanda; contrary to the ``ladder of options`` of the UNHCR concerning the security of refugees.⁶⁰¹ Land was availed to the refugee warriors in North Kivu to set-up a military camp which disguised as a civilian camp and code named Lac Vert, and a military base was created at Bukavu-Pazi camp for the ex-FAR and the interahamwe militias. The disguising of military camps into civilian camps epitomized the manipulation of the rather humanitarian concern: refugees, to further political ends.

In south Kivu, another military camp, code named Bilongue was secretly created to act as a training facility for ex-FAR and the Interahamwe, and small military camps in Uvira region of Zaire; co-existed with civilian camps in Kamanyola, Kanganiro, Lubarika,

⁵⁹⁶ Adelman, *The Use and Abuse of Refugees in Zaire*, 1997.

⁵⁹⁷ 165354.

⁵⁹⁸ See, 166117.

⁵⁹⁹ See, UNHCR, *Refugee Magazine Issue* (1997 in Review) - Protection, 1 September 1997.

⁶⁰⁰ See, 166216 and 166218.

⁶⁰¹ See, UNHCR, *The State of the World Refugees*, Chapter 3, *Addressing refugee Security*. The ``ladder of options`` are defined as follows: The ladder represents an assessment-and-response tool. It describes a series of possible and ideally multilateral responses to escalating threats to the civilian and humanitarian character of refugee camps and to the security of refugees and humanitarian personnel. These threats are then dealt with by a continuum of measures ranked in order of the `soft` or `hard` nature, depending on the local context. Most of these measures represent different ways to assure separation and exclusion of persons who-mainly because of their continuing involvement in military conflict-cannot be defined as refugees.

Luvungi, and Luberizi. A strategic camp was created on Idjwi Island in Lake Kivu for direct military incursions into Rwanda. The Provincial Government of the South Kivu region of Zaire (now DRC) was particularly very helpful to the former Hutu leadership and it ``vocally`` championed the Hutu cause. As such, South Kivu hosted a considerable number of the members of the former Hutu leadership including: The former President, Justice Minister and Foreign Affairs Minister. The argument was that their exile was a passing situation and that sooner than later they were to claim their leadership from the RPF.⁶⁰²

The International Community, most especially the members of the UN. Security Council together with other United Nations agencies; were slow at reaching a solution to the problem of refugee warriors, thus leaving Rwanda with but one option: Self defense.⁶⁰³ Even when Sadako Ogata, the then High Commissioner for refugees disclosed it to the United Nations Secretary General at the end of August 1994, proposing measures through which the problem of the militarization of camps would be addressed, of which was the creation of multilateral peace keeping force, as the Zairian authorities were weak and biased to address the problem; the Security Council remained indifferent to his proposal.⁶⁰⁴

France particularly sustained the military survival of the former Rwanda genocide regime even in exile. It is reported that a French Military training facility in the Central African Republic was used to facilitate continued military training for the refugee warriors.⁶⁰⁵ France used Zaire as a somewhat proxy⁶⁰⁶ through which it continued to deliver military logistics to the Hutu refugee warriors, and Mobutu was fronted as peace maker in the region, but championing *Francophonie* interests.⁶⁰⁷ External actors for all intent and purpose aided a resurgence of violence in Rwanda, and this saw a somewhat convergence

⁶⁰² 165577.

⁶⁰³ Adelman, *The Use and Abuse of Refugees in Zaire*, 1997 .

⁶⁰⁴ United Nations High Commissioner for Refugees, *The State of the World Refugees, The Rwandan Genocide and its Aftermath*, 2000, 251

⁶⁰⁵ Human Rights Watch, Rwanda/Zaire, *Rearming with Impunity: International Support for the Perpetrators of the Rwandan Genocide* May 1995.

⁶⁰⁶ Gasarase, *The Rwanda Conflict*, 1995, 27.

⁶⁰⁷ See, Adelman, *The Use and Abuse of Refugees in Zaire*, 1997.

of security threats leading to a security dilemma complex (due to the involvement of external actors) and insecurity dilemma complex (because the section of the population in Rwanda, more so in Western Rwanda countenanced the activities of the Hutu insurrectionists)⁶⁰⁸ for Rwanda, and a regional security complex⁶⁰⁹ for other countries within the Great Lakes Region, a complex which culminated into the ``African First World War`` as competently delineated by Gerald Prunier.⁶¹⁰

The Hutu refugees engaged in all the five levels of political violence as they are known: attacks between the sending state and the refugees, attacks between the receiving state and the refugees, ethnic or factional violence among the refugees, internal violence within the receiving state, and interstate war or unilateral intervention as delineated by Lischer.⁶¹¹ For the purpose of this study, the discourse obtains from the ``attacks between the sending state (Rwanda) and the refugees (Hutu refugees in Zaire) `` , in a bid to explain how human security issues served to fuel that level of violence So, to the Rwandan state, the refugees were a security threat which had to be dealt with decisively; if a semblance of peace was to return to Rwanda.

If human security is the absence of fear and the presence a negative indicator of human insecurity, then, the fear which led to what has been described as one of the largest refugee flow ever witnessed; later undermined the security of the Rwandan state, threatening a resurgence of violence to undermine the already fragile peace. This is a pointer to the convergence of human and state security, a somewhat ``security dialectics`` of a special kind.

⁶⁰⁸ See, Richard Orth, *Rwanda's Hutu Extremist Insurgency*, 236.

⁶⁰⁹ Barry Buzan in his seminal book, *People, State and Fear*, 1983, 106, explained that a regional security complex emerges where: ``...a group of states whose primary security concerns link together sufficiently closely that their national securities cannot reasonably be considered apart from one another.`` This system of things manifests itself in the Great Lakes Region, albeit not the central focus of this study, but it is an area worth an academic inquiry, and the Banyarwanda refugee phenomena is part of the scheme of things that have shaped and shaken that regional security complex.

⁶¹⁰ See, Gerald Prunier, *Africa's World War: Congo, the Rwandan Genocide, and the Making of a Continental Catastrophe*, Oxford University Press, USA; Reprint edition (April 6, 2011). Mahmood Mamdani, *Understanding the Crisis in Kivu: Report of the CODESRIA Mission to the Democratic Republic of Congo September, 1997*, Centre for African Studies University of Cape Town, November 20, 1998. And see, David Shearer, ``Africa's Great War, Survival``, 41, 2 (Summer 1999), 89-106.

⁶¹¹ See, Sarah Kenyon Lischer, *Refugee Involvement in Political Violence: qualitative evidence from 1987-1998, New Issues in Refugee Research*, Working Paper No. 26, Centre for International Studies, Massachusetts Institute of Technology.

The refugees, as earlier indicated feared revenge from the Tutsi and the wrath of the Ex-FAR and the interahamwe if they refused to evacuate Rwanda. However, they also had to grapple with lack of freedom from want. This lack of freedom from want was a result of lack of access to enough human needs, and this situation was also exploited by the refugee warriors who started using the access to the needs like food, medicine and water, as a somewhat chip to control the refugees in camps.

With a doubt, the refugees in camps wanted food, and the Ex-FAR and the interahamwe tactfully took control of the camps, but mostly food distribution.⁶¹² Apart from using food to elicit loyalty, they also misappropriated it to feed the warriors who were in the direct line of duty in the incursions against Rwanda. This was because refugee warriors were at the helm of the activities of the UNHCR and the United Nations Security had not countenanced a military force to demilitarize the camps.⁶¹³ The Human Rights Watch particularly verified that at Pazi and Lac Vert, military camps disguised as civilian refugee camps, the warriors kept children in order to hoodwink the International Non Government Organisations into continued delivery of food supplies to them. Even in civilian camps, food distribution was hijacked by the warriors to elicit loyalty from the bonafide refugees.⁶¹⁴ In Mugunga camp, WORLD VISION relied on *prefecture* leadership, who were often Hutu refugee warriors or their sympathizers; to distribute food until they rolled-out of the camp in mid-1995.⁶¹⁵

⁶¹² Ray Wilkison, *Cover Story: Heart of Darkness*, Refugee Magazine Issue 110 (Crisis in the Great Lakes).

⁶¹³ Johan de Smedt, *Child Marriages in Rwandan Refugee Camps*, Journal of the International African Institute, Vol. 68, No. 2 (1998), pp. 211-237, Cambridge University Press, URL: <http://www.jstor.org/stable/1161279>, accessed: 03/06/2013 13:52: 21

⁶¹⁴ See, Johan Pottier, *Relief and Repatriation: Views by Rwandan Refugees: Lessons for Humanitarian Aid Workers*, African Affairs, Vol. 95, No. 380 (Jul., 1996), pp. 403-429 (Oxford University Press, on behalf of The Royal African Society, URL: <http://www.jstor.org/stable/723574>): 411. Human Rights Watch, *Rwanda/Zaire, Rearming with Impunity: International Support for the Perpetrators of the Rwandan Genocide* May 1995. Also see, Philip Gourevitch and Paul Kagame, *After Genocide, Transition*, No. 72 (1996), pp. 162-194, Indiana University Press on behalf of the W. E. B. Du Bois Institute, URL: <http://www.jstor.org/stable/2935367>, Accessed: 03/06/2013 13:16.

⁶¹⁵ Pottier, *Relief and Repatriation*, 1996: 414.

Accordingly, many refugees went with less or no food leading to under-nutrition and malnutrition in the adults and children respectively.⁶¹⁶ Daniel H. Waterman precisely put malnutrition among Children in some camps as follows:

Table: 4

Frequency of acute malnutrition in camps according to population surveys in children aged between 6-59 months.

Camp	Date	Sample size	Percentage of Children		Overall Percent with malnutrition (95% C1)
			Moderate Malnutrition	Severe Malnutrition	
Katale	Aug 4	567	16.6	6.5	23.1 (18.3-28.7)
Kibumba	Aug 9	694	17.1	3.0	20.1 (16.1-25.0)
Mugunga	Aug 13	723	14.4	3.3	17.7 (15.0-21.0)

Moderate malnutrition= weight-for-height z score less than -2 but more than -3
(Between 2 and 3 standard deviations below reference population mean): severe malnutrition= weight-for-height z score less than -3 or oedema.

Adopted from: Daniel H. Waterman, Journey after Darkness: A study of Goma, Zaire in 1994: Cholera and Clean Water (Appendix, Table 2) Capstone Project, 2004.

Indeed, at the fall of October, 1996, the Spokesperson of United Nations Security Council, Sylvana Foa lamented of the overwhelming scarcity of food noting that what was available was only enough to feed the refugees for a week.⁶¹⁷ Children were the

⁶¹⁶ See, United Nations High Commissioner for Refugees, *State of the World Refugees, Addressing refugee Security*.

⁶¹⁷ Adelman, *The Use and Abuse of Refugees in Zaire*, 1997.

worst affected by the food shortages leading to increase in cases of malnutrition.⁶¹⁸ The scarcity of basic needs was overwhelming that according to the World Food Programme and the UNHCR, at least 600 tons of food and one million gallons of water per day were needed for refugees in the Goma areas.⁶¹⁹ Hutu refugee warriors, even where there were real food shortages; they picked the opportunity by exploiting the inadequate flow of information from the aid agencies to sustain their propaganda saying that the food shortages were artificial shortages aimed at starving refugees to death.⁶²⁰ Indeed the very quick cost in terms of human security was ultimately death, with the UNHCR estimating that by 2006, one thousand people, majority of them refugees, were dying in Eastern Congo; each day and, some were starving to death, whereas others were succumbing to disease and violence in camps.⁶²¹ Food shortages undermined the survival of the refugees, yet survival is the single most pillar of human security. But food shortages and food distribution as issues inclined to human security were later intertwined into state security concerns as food in its human simplicity was manipulated by the refugee warriors to serve their political objectives of holding at a ransom though, a considerable number of refugees in camps.

It should be reiterated that by using food as a way of controlling the refugees, the warriors were manipulating the necessity of human needs which guarantee human survival—human security; to legitimize and sustain their political objectives which were being pursued through violent means. The humanitarian agencies were deeply concerned that in their provision of relief, they were aiding insurgents who committed the genocide. International NGOs grappled with an ``ethical dilemma`` whether to cease their humanitarian, or to continue with relief but to the benefit of the insurgents.⁶²² Doing the former would have meant condemning the innocent refugees to death. Many NGOs threatened to pull out, and there were suggestions of withdrawing the provision of food in

⁶¹⁸ 168838.

⁶¹⁹ 164784.

⁶²⁰ Pottier, *Relief and Repatriation*, 1996, 413.

⁶²¹ *Ibid.*

⁶²² 165565.

order to ensure that refugees repatriate; a suggestion that Sadako Ogata of the UNHCR scoffed at as a measure that was against Humanitarian principles.⁶²³

However, two Ambassadors of the United States, Inderfurth and Marrero partitioned Ambassador Albright to put to the United Nations High Commissioner, Mr. Sadako Ogata that, ``...a large portion of the humanitarian assistance meant for Rwandan refugees(was) being siphoned off by middle-men``,⁶²⁴ the ``middle men`` were particularly the former Hutu leaders and militias, and to the Government of Rwanda this move strengthened the former Hutu leaders-turned into refugee warriors as they used food as a leverage to elicit loyalty from the civilian(bonafide) refugees.⁶²⁵ The International Rescue Committee particularly indicated in November 1994 that it was to withdraw its personnel from Goma refugee camps which were a den of former Hutu leadership and the genocide militias. Indeed on November 3rd 1994 in Nairobi, 15 NGOs of which were: International Rescue Committee (IRC), Médecins San Frontiers (Belgium, France, Holland), CARE (Canada, USA, UK, others), ARC, OXFAM UK, MDM, issued a statement in which they decried the appalling security situation in the refugee camps in the Eastern Zaire. They specified but five conditions which they deemed necessary for the effective provision of relief in the camps. The conditions were: separation of ring leaders (genocide ring leaders) from remaining refugees, removal of arms from camps, and establishment of adequate security for an independent registration, unimpeded delivery of assistance and ``freedom of choice`` for refugees to repatriate.⁶²⁶

MSF (Belgium) subsequently pulled out of Kibumba camps as a result of the unceasing threats against its members of staff.⁶²⁷ Food which is a sacrosanct necessity of life was being manipulated by the former Hutu leaders in their dire quest to maintain a firm grip on the refugee population in camps. The catastrophe of this scheme of things is particularly put graphically by the USA Cable to its concerned embassies with subject:

⁶²³ 166232.

⁶²⁴ 189381.

⁶²⁵ 189391.

⁶²⁶ 165578.

⁶²⁷ 166260.

An overview of the Rwandan Refugee Camps in Zaire, whose details were partially as follows:

The indirect food distribution confronts relief workers with a moral and ethical quandary. They have no way of ensuring that vulnerable populations in the camp, such as pregnant women and female headed households are getting their fair share. They have every reason to suspect, however, that the powerful and the unscrupulous—many of them closely connected to the Interim Government and the genocide... are appropriating the bulk of donated goods and reselling them on the burgeoning black market.⁶²⁸

Being in charge of camps gave them the privilege of numbers to be used as a bargaining chip in anticipated future negotiations, and an opportunity to siphon humanitarian assistance for their use. The former Hutu leadership demanded control of the distribution of relief and any attempt by the aid agencies to remove control of relief from them was met with stiff resistance from the side of the former leadership a phenomenon which ended up interrupting the distribution of relief items.⁶²⁹ It was reported that when the UNCHR decided to provide the plastic sheeting directly to refugees, the Hutu leadership in camps protested strongly.⁶³⁰

Also, incidents where relief workers were threatened by ex-FAR soldiers and militias with hand grenades and machetes during the distribution of food and non-food items were often reported.⁶³¹ The Head of ``Care Canada`` had to leave Goma after receiving death threats from the Hutu militias,⁶³² and ``Care Canada`` subsequently pulled out of Katale camp.⁶³³ The UNHCR had to suspend registration of refugees as a result of threats against its staff by the militias.⁶³⁴ The failure of the registration exercise

⁶²⁸ 165577.

⁶²⁹ See, 165235, 165577.

⁶³⁰ 165099.

⁶³¹ See, 165106, 165244.

⁶³² 165236.

⁶³³ MSF, *Deadlock in the Rwandan Refugee Crisis: Repatriation virtually at standstill*, Special Report, July, 20, 1995, <http://www.doctorswithoutborders.org/publications/article.cfm?=1467>

⁶³⁴ See, 165242, 165577.

undermined the planning process of the UNHCR which was aimed at streamlining food distribution to put it at the family level; a measure which was aimed at minimizing the misappropriation of food and other relief items by the camp leaders.⁶³⁵

The leadership of the UNHCR was specifically worried of the concomitants of the activities of the refugee warriors which had been and continued to be as follows; a reduced flow of spontaneous voluntary repatriation movement to Rwanda, candidates for return being intimidated or otherwise victimized, a diversion of sizeable amount of relief items to the benefit of ``leaders`` for other undeserving persons and to the detriment of needy genuine refugees, especially vulnerable groups such as women, children and the elderly, a disruption of the delivery of assistance because of threats leveled against relief workers, a resistance to orderly registration of refugees in order to streamline the distribution system, and a persistent attempt by the leaders to control and take over the day-to-day running of the camps.⁶³⁶

The worryment of the UNHCR leadership was further corroborated by the United States Deputy Assistant Secretary of State for African Affairs, Prudence Bushnell's letter of 18th October, 1994 to the Secretary of State of the United States, in which she decried the deteriorating security situation in the refugee camps in the Eastern part of Zaire. She noted that the crisis was not only undermining the lives of refugees but also a recipe for future violence by the militias against the government of Rwanda. To her such a scheme of things would inadvertently lead to, ``...an early preemptive strike against the ex-FAR by the RPA``.⁶³⁷ This pointed to the possible resurgence of violence which came to pass as this study brings it to bear, but later in the discussion. Bushnell's sentiments point to the convergence of human and state security concerns along the continuum of the Hutu refugee saga. Human security concerns as a result of the predicament of the bonafide refugees converged with the state security concerns as epitomized by the activities of the refugee warriors against Rwanda; to concomitantly lead to a resurgence of violence; a ``security dialectic`` of a special kind was manifest in that historical saga whose effects

⁶³⁵ 166260.

⁶³⁶ 165237.

⁶³⁷ 165244.

continue to shape and shake the scheme of the security architecture of not only political Rwanda, but also the political Great Lakes Region of the African continent as we know it in the present. But this study is in retrospect, further studies; by way of replicating this, may concentrate on the historicity of the present security architecture of the region, by drawing on the concerns of this study to fathom the security policies of the states in the region in their political present.

However, it deserves reiteration and further delineation that the former Hutu leadership, for all intents and purposes, from the control of camps, they sought the benefits of being perceived as a legitimate political force, and to them this would legitimize their political schemes and their incursions into Rwanda.⁶³⁸ Indeed a semblance of legitimacy was somehow attained by the former leaders as foreign dignitaries gave them a platform to listen to their views whenever they visited camps. Instructive of this is the speech which Bagezaho J.M. Vianney, the Hutu leader of Kashusha camp on the outskirts of Bukavu made before the delegation which was led by the USA Defence Attaché. In that speech Vianney lambasted the Government of Rwanda for failing to honour its obligations according to the Arusha Peace Agreements and the Protocols. He noted that the refugee were not to return unless the concerns are dealt with to the letter.⁶³⁹ The former Hutu leaders believed that the strength of their legitimacy would subsequently be used to see an ``extensive power-sharing as a precondition for reconciliation and repatriation``.⁶⁴⁰ Kagame, the then Vice President and Minister of Defence of Rwanda was particularly concerned that the former Hutu leaders were to manipulate the plight of the refugees whom they held hostage; to bargain for amnesty.⁶⁴¹ That is why the new government in Kigali believed in a strategy which would ensure that refugees return home as a way of delegitimizing the actions of the elements of the former regime. To that effect, in its report to the President of the United States, the United States Delegation to Rwanda, Burundi and Zaire observed thus:

⁶³⁸ See, Stephen John Stedman, Fred Tanner, eds., *Refugee Manipulation: War, Politics and the Abuse of human suffering* (Brooking Inst Pr. June 2003): Chapter 1. Also see, Howard Adelman, *The Use and Abuse of Refugees in Zaire* quoting the Dengui-Segui Report to the Security Council, 1997.

⁶³⁹ 166275.

⁶⁴⁰ 189364.

⁶⁴¹ 189391.

The motivations of the former government leadership seem clear: as long as they can retain control of a sizeable portion of the Rwandan population outside the country, they will remain a viable force. Should they lose the refugee population, they would be nothing but criminals in exile.⁶⁴²

With many refugees still in Congo; the security of Rwanda was threatened. This indicates that if refugees, in their lived experiences, faced human insecurities, and because their human insecurities were constantly manipulated by political schemers, then, a somewhat ``security dialectic`` existed between human and state security, in the body politics of Rwanda during post-conflict reconstruction and resources had to be husbanded and forces marshaled to thwart such a security threat. But the human insecurity burden on the refugees was overwhelming.

Expectedly, refugees grappled with the burden of disease, more so water borne diseases of which Cholera was monumental as a result of poor sanitation in the camps where latrines were nonexistent and sewer mixed with the available fresh waters of Lake Kivu.⁶⁴³ The first case of Cholera was clinically identified in July 18 1994, but by August of the same year 62,000 new cases had been identified with an infection rate of 7.3%-16% and fatality rates of 25%-50%. The rate of the infection; particularly the scientific probability was high that the camps, in Goma, Mugunga, Kibumba and Katale were entirely engulfed by the epidemic as a result of a cholera strain which was identified as *Vibrio Cholerae 01 El tor*.⁶⁴⁴ Though with a touch of exaggeration Claude Kayobokye, in Nyabugogo-Kigali Rwanda, a returnee from Mugunga camp, commenting about cholera outbreak he said that: Mugunga was a terribly crowded place and people were dying of cholera like flies``.⁶⁴⁵ Stephen John Stedman and Fred Tanner estimated that before the intervention of the international aid agencies, the Cholera and dysentery outbreak had claimed more than 30,000 refugees.⁶⁴⁶ It was reported on July 19th, 1994

⁶⁴² 165099.

⁶⁴³ Daniel H. Waterman, *Journey after Darkness: A study of Goma Zaire in 1994: Cholera and Clean Water, Capstone Project, 2004:10.*

⁶⁴⁴ Ibid, 2004:3

⁶⁴⁵ Editor's Desk, *Nothing to Fear in Rwanda, Rwanda Return*, News, Bi-Monthly Newsletter of UNHCR-Rwanda, no. 1, April 01-14-2004.

⁶⁴⁶ Stedman and Tanner, *Refugee Manipulation*, 2003.

that approximately one refugee was dying per minute as a result of cholera, dehydration and exhaustion.⁶⁴⁷ Later on July 29th 1994, it was reported that over 18,000 refugees had already succumbed to Cholera, hunger, exhaustion and dehydration, but Cholera accounted for most of these deaths with a rate of 3,000 dying per day in the Goma area, and that by that time an approximation of about 50,000-80,000 refugees were estimated to be infected with cholera.⁶⁴⁸ Anne Marie Huby of the Doctors without Borders is quoted by Adelman putting the number of those who succumbed to Cholera and dysentery at 50,000,⁶⁴⁹ a figure echoed by Ray Wilkinson in 1997,⁶⁵⁰ and countenanced by Johan Pottier.⁶⁵¹ The number of those who died as a result of the cholera epidemic is generally anecdotal for some died in their hiding without reaching the hospitals. But given the lethal nature of cholera; many died if we are to go by the survey which was done at Mugunga camp where it was reported that of the 62,000 diarrhoea cases which were clinically reported, 35,500 were positive of cholera and that of the 47,500 clinically reported death, 23,800 were pathologically related to cholera.⁶⁵²

The toll of disease related conditions was high on children. The Ndosha Children Camp which was housing about 3,000 Rwandan children grappled with the increased number of deaths as a result of cholera, malnutrition, dehydration, dysentery and pneumonia that one hundred nine children died in the camp during the week that preceded that of Tuesday, August 2, 1994.⁶⁵³ Scarcity of clean water and lack of enough access to medicines complicated the disaster. Indeed the increased provision of clean water in the Goma Camps saw a steady decline in the rate of infection and deaths as a result of cholera. For instance, from the statistics presented by the UNHCR as of 29 July, 1994, the rate of deaths fell from 27 percent to 1.7 percent between the dates 23-27 July, 1994.⁶⁵⁴ Whereas catering for the needs of such a large number of refugees was complex a task, the outbreak of cholera pushed the burden beyond manageable limits. The

⁶⁴⁷ 165106.

⁶⁴⁸ See, 164732, 164746, and 164755.

⁶⁴⁹ Adelman, *The Use and Abuse of Refugees in Zaire*, 1997.

⁶⁵⁰ Ray Wilkinson, *Cover Story: Heart of Darkness*, Refugees Magazine Issue 110 (Crisis in the Great Lakes Region).

⁶⁵¹ Pottier, *Relief and Repatriation*, 1996, 428.

⁶⁵² Waterman, *Journey of Darkness*, 2004, 17.

⁶⁵³ 164964.

⁶⁵⁴ 164729.

international community was alarmed by the extent of the outbreak, and indeed relief efforts were forthcoming; that it was reported in August 4, 1994 that adequate provision of relief in terms of water, food and medicine had reduced by more than half the number of deaths from about 1,800 per day in the week that preceded that of fourth August to about 800 a day in the week of 4th August.⁶⁵⁵

Without a doubt, the cholera outbreak constituted a great human insecurity, but to be equally, manipulated by the warriors. To them any threat to the refugees was an opportunity for them to gain more legitimacy and control of the camps and their human occupants.

The distribution of medicines was done under the supervision of the Hutu administrators in order for them to ensure that combatants, their family members and loyalists are treated first. At night when relief workers left the treatment centers, the Hutu warriors forced patients to vacate, and replaced them with their cohorts.⁶⁵⁶ This level of ``grave yard politics`` increased the influence of the Ex-FAR and interahamwe who wanted to remain as the legitimate voice of refugees and thus legitimize their violent political schemes against the regime in Kigali. This portended a security threat to Kigali, but with a human security dimension, a clear pointer to the ``security dialectics`` between human and state security.

The personal security of the de-jure refugees as opposed to that of the de-facto refugees—refugee warriors was also constantly undermined by many factors but most importantly the xenophobic human agents in the Congo who viewed them as competitors when it came to land and a favoured lot as they had access to human needs like free food and medicines from aid agencies.⁶⁵⁷ It should be outlined that the animosity between the ``indigenous`` Congolese ethnic groups and the descendants of the Rwandan migrants who earlier settled in Eastern Congo had led to a somewhat chain of conflicts, only to be intensified by the massive entry of the Hutu refugees from Rwanda in 1994 and that:

⁶⁵⁵ See, 164983.

⁶⁵⁶ Waterman, *Journey of Darkness* 2004, 24.

⁶⁵⁷ See, UNHCR, *The State of the World Refugees, The Rwandan Genocide and its aftermath*, 2000, 251.

“The 1994 inflow of a million Rwandan Hutu refugees into the camps around Goma, North Kivu’s Provincial capital, (aggravated) local sensitivities about an emerging Banyarwanda majority”⁶⁵⁸

Indeed by March 1995, sporadic ethnic violence had already started in Eastern Congo with 100 people being killed in the East of Masisi area in October 1994 with approximately 75,000 displaced. Also in the area of North West Kivu the Heretofore and Tembo “indigenous tribes” clashed with the Banyarwanda in the area including the Hutu refugees. In the areas of Ruthuru, Mweso and Bibwe, the Nande people engaged in running battles with the Banyarwanda in those areas.⁶⁵⁹ So, the Hutu refugee crisis served to worsen even the conflictual situations in Eastern Zaire (now DRC). This undermined the existence of refugees who escaped violence but to find themselves in more violent situations. Their personal security was at stake, sore put by the appalling living conditions in camps, coercion by the former Hutu leaders and militias, and then the violent hatred from the natives. So, they looked up to the former Hutu leaders and militias for protection for the government of Zaire and the aid agencies could not guarantee their security. The former Hutu leaders won the loyalty of the Hutu bonafide refugees on the bait of protection from threats including that from the native tribes. To the former Hutu leaders and militias now-turned-into-refugee warriors this was a political point well scored for they wanted total control of the refugees as bait for recognition by both the Government of Rwanda and the International community.

Also their personal freedom was undermined further by the actions of the warriors among them who demanded loyalty and any suspicion of sabotage would be punished. Men were killed over suspicion of disloyalty, and many were forced and cajoled into joining the activities of the warriors. Apart from delineating the urgency of a military solution to the refugee warrior problem in Eastern Zaire, the Dengui-Segui Report to the United Nations Secretary General delineated how the ordinary refugee were living in constant fear and at the mercy of their captors—the Hutu refugee warriors who would kill and maim anyone

⁶⁵⁸ 166244.

⁶⁵⁹ 166227.

who dared to oppose their edicts.⁶⁶⁰ To the warriors, the only way of ensuring the control of the de-jure refugees was to create an aura of fear in the camps by curtailing people's freedom of movement.⁶⁶¹ An attempt to repatriate oneself was forbidden and heavily punished, and would be construed as disloyalty. As regards how the personal security of the refugees was undermined by the violent schemes of the Hutu warriors in camps, one Hutu refugee who decided to engage in secondary movements from Zaire to Kyenjebu Estate, Kyaka, Kagera District of Tanzania who was only identified through his Hutu relative now a trader in Nyabugogo Market in Kigali City had this to say in Kinyarwanda, that:

They used to force us to do raids with grenades and machetes on villages in Rwanda near the Congo border. They had whistles which they used to alert all those who had been selected to participate into night raids. If they found you sleeping in your hut, they burnt it (sic). They could wallop you in front of your wife and children. I participated in some raids. From Goma we used to go even as far as Gitarama. I had to run to Tanzania one night. I was tired of forcing me to fight. I do not know how I survived, my wife managed to escape with the children a day before. Now I fear going back to Rwanda because of my participation in the raids, but I would have loved to go back. Here I leave like a Tanzanian because people here resemble us; they are almost Banyarwanda but in Tanzanian territory.⁶⁶²

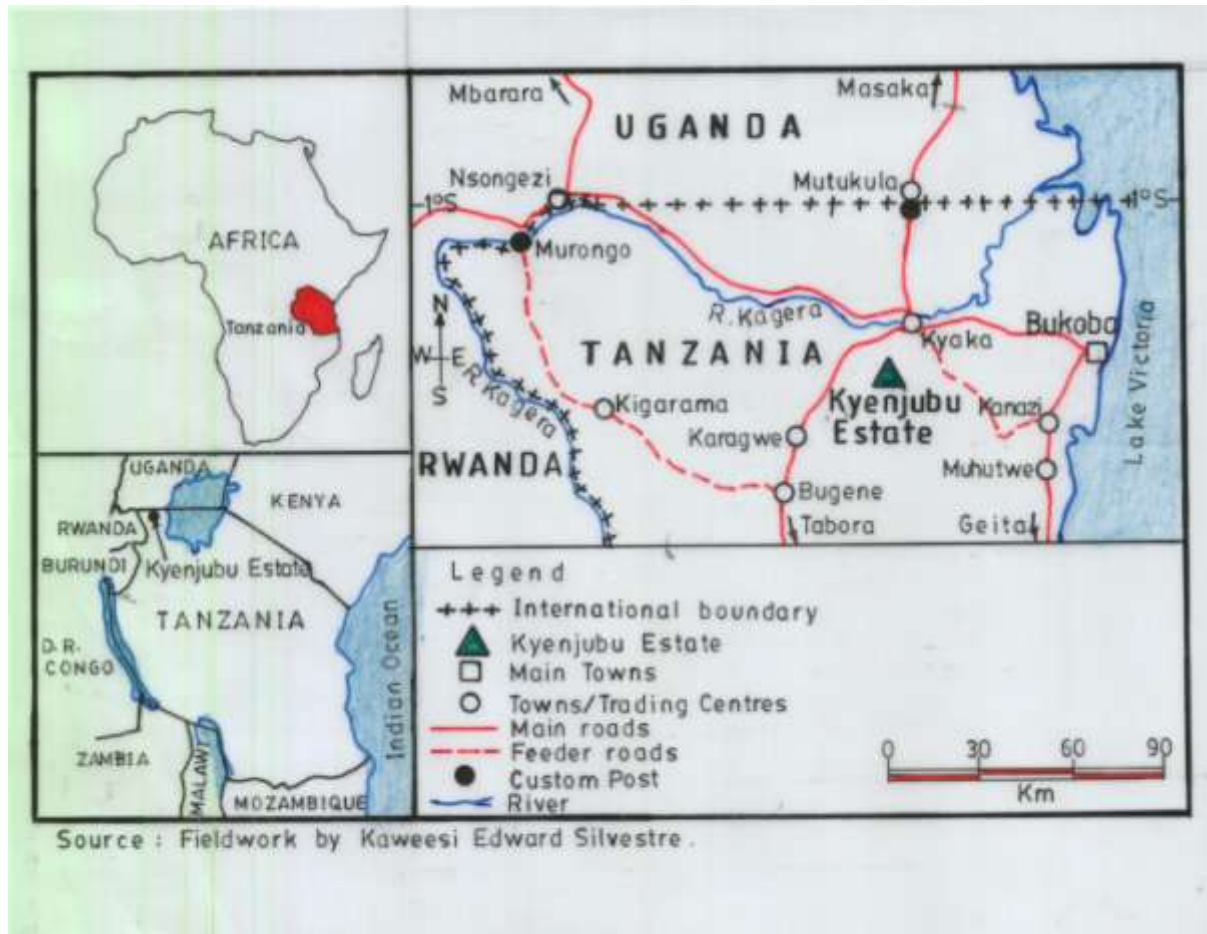
⁶⁶⁰ See, The Dengui-Segui Report to the UNSG, United Nations General Assembly, A/AC.96/SR.516, 17 October, 1997, 5-6.

⁶⁶¹ 165099.

⁶⁶² Personal interview with a Hutu refugee now a settler near Kyenjebu estate, taken on, August, 28th, 2013, and the name is withheld on request, him, his wife and children work in the nearby sugar estates. He preferred anonymity because of the fear from Rwanda and Tanzanian authorities who are always on the look for people of his nature for expulsion.

The location map of the informant is as follows:

Map 3: Map of Tanzania indicating the location of Kyenjubu Estate, Study Area, in Tanzania



The strict control of the refugees by the warriors saw the repatriation campaign by RPF government and the United Nations High Commissioner for Refugees together with other agencies a fiasco. Even by October 1994 refugees were still flowing into Goma as a result of the intimidation campaign by the elements of the former regime that they were about to start violent incursions into Rwanda.⁶⁶³ In fear of violence; those who were intending to return to Rwanda stayed put and those who had remained in Rwanda continued to seek refuge. The RPF government wanted refugees to return home saying that those who were not guilty of the genocide had nothing to fear.⁶⁶⁴ The International Community believed

⁶⁶³ See, 165242, 166083.

⁶⁶⁴ 164793.

that the only way of solving the refugee crisis at its concomitant situations was to ensure the voluntary repatriation of refugees, and according to the Press Guidance of July 29th 1994, sent to all the concerned embassies of the United States of America, the United States was to:

... to continue to believe that the best way to resolve the Rwandan Refugee crisis is for the refugees to return home voluntarily as quickly as they can safely do so. Even with full scale deployment of all available resources, the International Community cannot meet the needs of over a million refugees crowded into a small corner of Zaire⁶⁶⁵

But refugees were being held hostage⁶⁶⁶ in camps by the members of the former regime, and the outcome was the continued recruitment of warriors from the camps and training them in- there; in preparation for a full-blown civil-war.⁶⁶⁷ The elements of the former genocide regime had strong propaganda and intimidation machinery that warned refugees of the impending arrests and massacres presided over by the RPF government if they return. It was also put to the refugees that those who dared to return would be persecuted if the Hutu return to power.⁶⁶⁸ Former military and militia members were at the centre of the execution of the intimidation and terror campaign against those who intended to repatriate.⁶⁶⁹ The ordinary refugees lived in ``perpetual fear`` which grossly undermined their decision making for even when condition were reportedly favourable for their return to Rwanda, they could not dare return for fear of the repercussions.⁶⁷⁰ An elusive mobile Radio Transmitter was reported in the refugee camps; humming propaganda, and warning the refugees of the dangers of returning Rwanda.⁶⁷¹ Newspapers and pamphlets carrying extremist material also circulated in the camps.⁶⁷² It is reported that an extremist

⁶⁶⁵ 164732.

⁶⁶⁶ See, 165578, in which it is reported that the reference to refugees as being held ``hostage`` was made by the 15 NGOs, the made a statement made in Nairobi on 3rd November, 1994; petitioning the international community particularly the United Nations Organisation to address the security threat in refugee camps in Eastern Zaire, which was being posed by the presence of armed militias in civilian refugee camps.

⁶⁶⁷ 165548.

⁶⁶⁸ See, Beth Elise Whitaker, *Refugees and the Spread of Conflict: Contrasting Cases in Central Africa* (de Sitter Publications, JAAS 38 (2-3): 211-231):215. Also see, Garase, *The Rwanda Conflict*, 1995, 32.

⁶⁶⁹ 168913.

⁶⁷⁰ Anyidoho, *Guns Over Kigali*, 1998, 119.

⁶⁷¹ See, 165099, 165354, and 168848.

⁶⁷² 165531.

pamphlet authored by the former Justice Minister of Rwanda in the former Interim Government of Rwanda was on sale in the kiosks in the Bukavu Hutu refugee catchment area.⁶⁷³ The relief agencies reported finding bodies of people who were being killed in the night by suspected Hutu extremists as a way of threatening those who wanted to return.⁶⁷⁴

It was reported that when one village elder started encouraging his people to return to Rwanda, he was killed in front of them by the militia leaders. The former game wardens who were being returned to Rwanda by the UNCHR to take on their duties; were pulled off the vehicles, beaten-up and many were imagined to have died in captivity.⁶⁷⁵ The young refugees who were volunteering as boy scouts; helping returning refugees to board transport in Katale camp were murdered the early October of 1994.⁶⁷⁶ In November 1994, near the International Rescue Committee's hospital in Goma (Kibumba camp) returnees who had went back to the camps to report on the congenial conditions inside Rwanda for returnees; were beaten by the elements of the Hutu warriors.⁶⁷⁷ The Hutu refugee warriors were ruthless and uncompromising when it came to consolidating the number of refugees in the camps. Control of refugee masses in camps were their ``last political card`` to justify the legitimacy of their demands and schemes.⁶⁷⁸ Peter Hansen, the United Nations Undersecretary-General for Humanitarian Affairs and Emergency Relief Coordinator (1994-1996) put the situation of fear and anguish in the Hutu Zaire refugees camps as a, ``Totalitarian reign of terror``.⁶⁷⁹

However, even some events in Rwanda served to scare the returnees, and that efforts by the Government to create a congenial environment for the safe return of refugees lacked commitment. Cyprian F. Fisiy observes that the returnees and those who intended to return were overwhelmed by fear as a result of the: Presumption of guilt, fear of arrest,

⁶⁷³ 165577.

⁶⁷⁴ See, 165057, and 165096.

⁶⁷⁵ 165099.

⁶⁷⁶ 165244.

⁶⁷⁷ 165578.

⁶⁷⁸ 165301.

⁶⁷⁹ 165542.

and disputes over occupied property.⁶⁸⁰ Elements within the RPF unleashed violence against the Hutus to avenge the genocide.⁶⁸¹ The massacre at Kibeho camp; Southwestern Rwanda in April 1995 served to scare the more those who had intentions of repatriating. The 32 page Manifesto released in November 1994, by Prime Minister Twagiramungu's Democratic Republican Movement (MDR) highlighted the inherent flaws within the operations of the RPF- led government which served to undermine the reconciliation of the nation and thus creating a sense of mistrust in the government among the Hutu population. This trend of events consequently undermined even the return of refugees. The inherent weaknesses were: reprisals, arbitrary arrests, disappearances, and detention of the accused in military (rather than prison) facilities and confiscation of property. The document also referred to atrocities which were and were being committed by the RPA troops as ``Double Genocide`` which had to be investigated.⁶⁸²

Also when the RPA had of the infiltration of the Internally Displaced People's Camps (IDP camps) with the Interahamwe, it used a somewhat earth scotched policy- burning the Musenge camp in Gikongoro prefecture causing but seven deaths. It was also reported in March 1995 that one returnee was arrested per convoy as the UNHCR was repatriating refugees from Goma, Eastern Zaire to Rwanda.⁶⁸³ Arbitrary arrests were monumental that it was reported in April 1995 that approximately 1500 Hutus were being arrested on a weekly basis and put under deplorable detention conditions⁶⁸⁴. Indeed the number of those in detention centres had reached 30,000 by March 1995.⁶⁸⁵ This served to threaten the refugees who wanted to return to Rwanda and undermined to the reconciliation process.⁶⁸⁶ The UNHCR stopped facilitating repatriation after Musenge camp massacre.⁶⁸⁷

⁶⁸⁰ Cyprian F. Fisiy, *Of Journeys and Border Crossings: Return of Refugees, Identity, and Reconstruction in Rwanda*, African Studies Review, Vol. 41, No. 1 (Apr., 1998), pp. 17-28, African Studies Association, <http://www.jstor.org/stable/524679>, accessed: 03/06/2013 13:12.

⁶⁸¹ 165548.

⁶⁸² 165543.

⁶⁸³ 166220.

⁶⁸⁴ 166213.

⁶⁸⁵ 166227.

⁶⁸⁶ 165558.

⁶⁸⁷ UNHCR, *The State of the World Refugees, The Rwandan Genocide and its aftermath*: 2000, 255.

As a result many ordinary refugees preferred dying of cholera than returning to Rwanda to be killed by the RPF.⁶⁸⁸ Some NGOs also served to undermine the repatriation process as they tried to convince the UNCHR and UNAMIR officials not repatriate the refugees; arguing that they had the infrastructure to cater for the needs of refugees, and that in Rwanda such care for the refugees would not be forthcoming. The NGOs were profiteering from the crisis and wanted to sustain the status quo.⁶⁸⁹ Meanwhile the crisis was worsening and this constituted a continuous security threat to Rwanda as the warriors kept growing in their combative strength that a full blown resurgence of violence, a somewhat civil-war took place in Northern Rwanda as the warriors could easily replenish their ranks by recruiting from the ordinary refugees whose personal insecurity was manipulated.

To discourage repatriation the more, terrorist activities by the Hutu warriors targeted mostly the repatriated Hutu refugees who had settled mostly in Northwestern Rwanda, and this increased the fear among those who had not yet returned that all was not well even in Rwanda, and Hutu refugees were forcefully put into battle zones to act as human shields. Those who were hesitant to cooperate were mostly killed.⁶⁹⁰ Indeed, it is not a moment to isolate when we read that when Rwanda adopted a military force strategy against the refugee warriors in 1996, ordinary refugees were assembled by the warriors around the Mugunga camp to act as buffers to the military counterinsurgency activities of the RPF. A ``carpet of bodies`` was later seen.⁶⁹¹ Rwanda was looking up to the International community to intervene to stop refugee warrior incursions into its borders, but the call was least heeded.⁶⁹² The human insecurity of the Hutus as a result of their refugee status was manipulated in a rather violently primitive manner by the former Hutu leaders in their quest for political survival and political power a trend of events that points to how human security concerns can converge with state security concerns to cause a resurgence of violence. The Hutu warrior phenomenon in all its intricacies posed

⁶⁸⁸ Johan Pottier, *Relief and Repatriation*, 1996, 428.

⁶⁸⁹ 165112.

⁶⁹⁰ James Turner Johnson, *Maintaining the Protection of Non-Combatants*, Journal of Peace Research, Vol. 37, No.4, Special Issue on Ethics of War and Peace, (July., 2000); pp. 421-448, (Sage Publications, Ltd., URL: <http://www.jstor.org/stable/424640>, accessed: 03/06/2013 13:52):438.

⁶⁹¹ Ray Wilkinson, *Cover Story: Heart of Darkness*, 1997.

⁶⁹² Whitaker, *Refugees and the Spread of Conflict*, 215.

a military threat to Rwanda, but the sustenance of that threat obtained largely from the manipulation of the predicament of the bonafide refugees which border on human insecurities.

Clearly, personal insecurity persisted that the refugees who could not handle the pressure engaged in secondary movements, escaping from camps under the control of warriors. They moved either in the interior of Congo or to other countries like Tanzania and Uganda, for they could not easily return to Rwanda for fear of vengeance. The refugees were fearful of the militias in the camps, and what awaited them on return to Rwanda—fearing reprisal attacks and living in destituteness for they anticipated that they could not reclaim their property. Indeed, fifty thousand Tusti returnees from the refugee caseloads of 1950's and 1960's were reclaiming their land and homes contrary to the provisions of the Arusha Agreement that had speculated that land rights would only be restored to those who had left in the past 10 years before the signing of the agreement in August 4th, 1994.⁶⁹³ This brought tension among the Hutus who remained and those who intended to return from the refugee camps.⁶⁹⁴ Some were too poor and tired to endure the long distance trek back to Rwanda.⁶⁹⁵ These factors served to militate against the return of the Hutu refugees to Rwanda. Concerns of personal security, property security were central in this scheme of things. To that effect, the international community, specifically the United States; a safe return by the refugees to Rwanda would partly be guaranteed by the attempts of the:

``NGOs ... to set up minimal humanitarian infrastructure which (could) offer returning population (with) personal security, food security and security of property as they (recommenced) their lives on Rwanda's Thousand Hills.``⁶⁹⁶

⁶⁹³ See, 168919, and Peace Agreement between the Government of Rwanda and the Rwanda Patriotic Front, Protocol of Agreement between the Government of the Republic of Rwanda and the Rwandese Patriotic Front on the Repatriation of Rwandese Refugees and the Resettlement of Displaced People, Chapter 1, Section 1, Article 4, <http://www.incore.ulst.ac.uk/services/cds/agreements/pdf/rwan1.pdf>

⁶⁹⁴ 168919.

⁶⁹⁵ 165247.

⁶⁹⁶ 165247.

Indeed the centrality of human security concerns was manifest in this refugee saga with all its complexities, and many refugees weighing the lesser evil decided to remain literally under the captivity of the Ex-FAR and the Interahamwe. It should be emphasized that because the camps provided shelter to most of the refugees; and guarantee providence of basic needs, the refugees, interested in a semblance of a permanent place of abode, against all odds, remained and surrendered their fate and loyalty to the Ex-FAR and Interahamwe. They were organized into communes. The former Hutu leaders replicated the administrative structures that were present in Rwanda before the advent of the RPF. They organized refugees in prefectures, communes and sectors that in Kibumba camps eight of the ten Rwandan prefectures were replicated comprising of refugees from those areas with their leadership.⁶⁹⁷

It should be noted that the camps of Kibumba and Katale which were north of Goma were notorious when it came to refugee control by the elements of the former regime. These camps comprised of refugees who came as groups from the Gisenyi area of Rwanda because when: ``... the Rwanda Interim Government in Gisenyi was falling, (and)whole neighbourhoods and villages, complete with local government structures arrived almost intact``.⁶⁹⁸ A neat system of administration, a somewhat government in exile which had been announced by 29th November 1994 by the elements of the former regime, presided over matters of Hutu refugees and their encampments.⁶⁹⁹ It should be recalled that the entire civil-service; which comprised of 32,000 persons during the days of President Habyarimana, majority of which presided over the genocide, accompanied the refugees and tightly monitored them to avoid their return to Rwanda.⁷⁰⁰ The former army was reported to be intact in Zaire.⁷⁰¹ Richard Orth notes that former commune leaders and military leaders were conscripted into the organization structure of camps, and they used the opportunity to continue levying taxes from the refugees who were working for the humanitarian agencies.⁷⁰²

⁶⁹⁷ See, Adelman, *The Use and Abuse of Refugees in Zaire*, 1997, citing Dengui-Segui 1997.

⁶⁹⁸ 165577.

⁶⁹⁹ 165548.

⁷⁰⁰ 169228.

⁷⁰¹ 165135.

⁷⁰² Richard Orth, *Rwanda's Hutu Extremist Insurgency: An Eyewitness Perspective*, 235. Also see, UNHCR, *The State of the World Refugees, The Rwandan genocide and its aftermath*, 2000, 247, 250, And,

The Hutu refugee warrior leadership had a cash economy that allowed them the capacity to sustain their activities, but this cash economy thrived on the refugee populations and the sustenance of that population through systematic fear and manipulation of their needs. In addition to the money, approximated at 17 billion Rwandese Francs; which the Hutu leadership looted from the Banks as they planned to exit Rwanda, was a shipment of 20,000 tons of coffee with a value of approximately \$50million dollars⁷⁰³ and government property like vehicles which they had looted from Rwanda on departure. Melvern writes that:

``Anything that could be carried had been removed from Rwanda: corrugated-iron sheets, window frames, door handles. Whole factories were dismantled and taken into exile along with every working vehicle``⁷⁰⁴

They also had an array of businesses from which enough revenue was collected, and had access to the money and to revenue which accrued to the Rwanda Government assets in foreign countries, including; Kenya, Tanzania, Zaire and the Netherlands.⁷⁰⁵ They used the delayed recognition of the legitimacy of the RPF led Government to continue benefiting from the assets of Rwanda. They sold hoarded surpluses of relief supplies on black market as they over declared the number of refugees to relief agencies. We are told that they operated a bus system within camps.⁷⁰⁶ The transport business system was facilitated by the large buses that had been donated by the Government of Japan to the Government of Rwanda. The movements of the former Hutu leaders to Eastern Congo and around their strong hold in Goma was facilitated by the stolen United Nations vehicles, Government of Rwanda vehicles, stolen donor cars and stolen trucks.⁷⁰⁷ In other words they had enough logistical and financial capacity to continue exerting their

Ray Wilkinson, *Cover Story: Heart of Darkness*, Refugee Magazine Issue 110 (Crisis in the Great Lakes), Refugees Magazine, 1 December 1997.

⁷⁰³ See, 165065.

⁷⁰⁴ Melvern, *A People Betrayed*, 2009, 249.

⁷⁰⁵ Human Rights Watch, *Rearming with Impunity*, 1995.

⁷⁰⁶ Adelman, *The Use and Abuse of Refugees in Zaire*, 1997, citing, the Human Rights Arms Project, 1995, 15-16.

⁷⁰⁷ 164797.

hegemony onto the refugee population. As regards the money which they looted from the Banks in Rwanda, the United States embassy graphically put that the former Hutu leadership literally took, ``the Banks with them. State treasuries are virtually empty``.⁷⁰⁸ Again it is the United States Embassy daily brief that succinctly put for us the nature of the cash economy that the former Hutu leadership presided over in refugee camps thus:

A thriving commerce has grown up in the larger camps and between the camps and the local communities. Roadside vendors sell everything from relief goods to freshly-slaughtered beef to second hand shoes. An entrepreneur in the Kibumba camp makes cooking pots out of empty metal cooking-oil canisters, while an estimated 465 bar tenders sell beer in Red-light Districts of the Katale camp. Japanese-donated intercity buses commandeered by the FAR when they retreated from Rwanda now carry passengers between the North Kivu camps and Goma, presumably earning a tidy profit for their operations.⁷⁰⁹

Theirs was a full government in exile with a semblance of a functioning economy.

Indeed, whereas the RPF had won the war and was in charge of the Rwandan territory; the former Hutu leadership was also clinging onto the control of the Rwandan refugees by economically and politically profiteering from their predicament. The human security concerns of the refugees translated into the political survival catchment area of the former leaders-turned-refugee warriors who started plotting against the government of Rwanda; thus the convergence of human and state security; a nexus of two security areas referred to as a ``security dialectic`` by this study.

Also, because shelter is a basic need and camps guaranteed it, the control of the camps was not only of benefit when it came to supporting the claim for legitimacy by the Hutu warriors, but it also acted as a source of revenue through taxation. The Hutu refugees had to pay taxes to the warrior authorities. The revenue was used for buying logistics to sustain their warrior activities. Camps were fortified so that repatriation became highly

⁷⁰⁸ 165143.

⁷⁰⁹ 165577.

improbable, and the strategy by the government of Rwanda to have all refugees repatriated, as a measure of guarantying security was undermined. The continued exploitation of the personal security and the general security of refugees continued to pose a threat to the security of the Rwandan state; a clear pointer to how human security concerns can concomitantly translate into state security concerns in countries emerging from violent conflicts. For Rwanda's reconstruction to bare dividends it had to settle the refugee security threat of its frontiers. The issue of the refugee warriors served to undermine the stability of Rwanda that was necessary for kicking starting development oriented governance. The RPF led government was trying to marshal its forces and husband its meager resources; to forge a semblance of recognizable state capacity, but the logic was communicated in simple terms that for the government of Rwanda:

To get security for its people and start up a viable economy, (it had to) deal with problems on its borders (for) two million refugees, who (are) yet to concede the Government's victory, are destabilizing the whole region''.⁷¹⁰

Rwanda in its post-conflict situations was again caught in a fragile and fluid complex security situation that astronomically undermined its post-conflict reconstruction efforts for security as the cornerstone of development. The security complex which Rwanda had to grapple with obtained from the convergence of human security concerns with state security concerns dramatized in the refugee crisis that:

Rwanda (found) itself surrounded by a constrictive belt of insecurity. Hutu militias (were) able to launch frustration attacks from camps in Tanzania, Burundi, South and North Kivu.⁷¹¹

From the catastrophe of the genocide, Rwanda had to grapple with the catastrophe of the convergence human insecurities and state insecurities, manifested in the refugee crisis which ironically was part of the outcomes of the end of the civil-war which culminated

⁷¹⁰ 165247.

⁷¹¹ 165247.

into the genocide. A cycle of violence was in the offing as a result of the refugee warriors—ex-FAR, former leaders of government and Hutu militias.

Accordingly, basing on the foregoing evidence from Rwanda, particularly during its post-conflict reconstruction period, the study contends that a refugee phenomenon is generally a human security issue, but in instances where the predicament of refugees is manipulated to serve the interests of those who are interested in gaining and sustaining political objectives against, in the context of this study, their country of origin, then, the refugee phenomenon also becomes a threat to state security. This scheme of things epitomizes a somewhat ``security-dialectic``-- a metaphysical convergence of human security and state security along the continuum of a resurgence of violence in post-conflict situations. Addressing a refugee crisis which emerges as a concomitant of a conflict within the body politics of a given political entity thus becomes a matter of both human security and state security utility.

So, the question emerges and it is addressed in the subsequent chapters that: How did the development in state capacity address the security threat that the refugee crisis posed to both the refugees and the security of Rwanda?

4 CHAPTER FOUR

4.1 Developing State Capacity after Conflict: Towards the Rehabilitation of a Lame Leviathan.

This Chapter obtains from the logic that state capacity is central to the post-conflict reconstruction process. The imperativeness of state capacity during post-conflict reconstruction is elucidated in the conceptual chapter of this study. Also, as elucidated in the conceptual Chapter of this study, there is a considerable debate as regards how government institutions should be organized as they approach development during post-conflict reconstruction.

By way of reiteration, the recommended approach to the reconstruction of the functionality of the state has been generally a strict commitment to liberal peace;⁷¹² which others have precisely put as liberal internationalism or the liberal internationalist paradigm which places great emphasis on democratic governance, economic reforms with a focus on marketisation-- a departure from state-led economization, security sector reforms with a focus demobilization and demilitarization of the different armed forces.⁷¹³ The liberal approach to post-conflict reconstruction stands in sharp contrast to other

⁷¹² Annan Kofi, *The Causes of Conflict and the promotion of Durable Peace and Sustainable Development in Africa: The Report of the Secretary General to the Security Council*, United Nations Document, NO: S/1998/318. See, Boutros Boutros-Ghali, *An Agenda for Democratisation* (New York, United Nations, 1996).

Also see, Roland Paris, *Bringing the Leviathan Back In: Classical versus contemporary studies of the Liberal Peace*, (International Studies 2006, 8, 425–440), explaining the difference between the contemporary liberal peace theorist and the classical liberal peace theorists; noting that the whereas the former acknowledged the necessity of a limited functioning state machinery to maintain law and order, the latter treat the existence of a capable state as if it were a fore-gone conclusion. See, Boutros Boutros-Ghali, *An Agenda for Democratisation* (New York, United Nations, 1996). Carlos Santiso, in, *Promoting Democratic Governance and Preventing the Recurrence of Conflict: The Role of the United Nations Development Programme in Post-Conflict Peace Building* (Journal of Latin American Studies 2002):1-3; notes that what is very high on the agenda of the United Nations during Post-Conflict Reconstruction is the promotion of democracy and good governance as sacrosanct attributes of post-conflict peace –building initiatives.

⁷¹³ See Paul Omach, *Democratization and Conflict Resolution in Uganda* (IFRA-les Cahiers, No 41, pp.1-20), citing Shepard Forman and Stewart Patrick, 'Introduction', in Forman and Stewart Patrick eds., *Good Intentions: Pledges of Aid for Post conflict Reconstruction*, (Boulder and London: Lynne Rienner, 2000):5; Khrisna Kumar, 'The nature and Focus of International Assistance for Rebuilding War-Torn Societies', in Khrisna Kumar, ed., *Rebuilding Societies after Civil War: Critical Roles for International Assistance*, (Boulder: Lynne Reider, 1997):1-39, and World Bank, *Post conflict Reconstruction; the role of the World Bank* (Washington DC.: World Bank) Discussion Paper, 331.

approaches: neo-Marxism, Corporatist theory, and most importantly the state-centered approach (statist)⁷¹⁴; with a government acting like a somewhat Hobbessian Leviathan as it embarks on development following State-led approach to matters of governance which leaves little room for political opposition, and where individual rights are either surrendered or hijacked by the state as a trade-off for development. To the liberal peace theorists or the liberal internationalists, the statist approach to matters of governance passes for authoritarian rule, and it is seen as a precursor to conflict-continuous situation. To them the focus should be put on ensuring people participation in matters of statecraft; through structures for the rule of law, civil-society institutions, electioneering including voter education, and the observance of the rights of all.⁷¹⁵

On the other side of the debate are those who argue that a rush to democratization poses the danger of literally driving countries in Post-Conflict situations back to manifestations of conflict; that is violence. They argue that elections need to be delayed until institutions of the state are built to handle the electoral process which requires orderliness. They add that Political Parties in Post Conflict situations serve to worsen ethnic, religious and other societal divisions as they consciously or inadvertently exploit such divisions.⁷¹⁶ They contend that a haste move to implementing a liberal peace agenda as a standard approach to development in Post-Conflict Reconstruction situations obtains from the wrong assumption that a quick move to democratization is somewhat magic ingredient in the successful implementation of the post conflict reconstruction agenda of the state. They castigate the logic that there can be a “one size fits-all” approach that can be applied to all situations during Post-Conflict Reconstruction, and to them a quick move to liberal peace and its forcible impositions seem to negate the fact that each conflict and the societies in post-conflict situations are unique; with the causes of conflicts and effects similar, but

⁷¹⁴ Göran Therborn, *Karl Marx Returning: The Welfare State and Neo-Marxist, Corporatist and Statist Theories*, International Political Science Review, Vol.7, No.2, The State and the Public Sphere (1986), pp. 131-164, Sage Publications Ltd. URL: <http://www.jstor.org/stable/1600786>.

⁷¹⁵ Ibid.

⁷¹⁶ See, Winrich Kühne, *The Role of Elections in Emerging Democracies and Post-Conflict Countries; Key Issues Lessons Learned and Dilemmas*, International Policy Analysis, Friedrich Ebert Stiftung, August 2010, <http://library.fes.de/pdf-files/iez/07416.pdf>, Roland Paris, 2006, argues that the Post-Conflict Reconstruction agenda of the international community in countries emerging from conflicts generally obtains from the tenets of the contemporary conception of the liberal peace thesis, with an emphasis on electioneering, civil society involvement in politics, political parties and increased observance of human rights and freedom.

differing in magnitude that; what worked for one state might not work effectively for the other. They argue against the way many donors and international organisations have adopted a standardised liberal approach; with a focus on economic and political liberalization as models to peace-building. They add that by erroneously imposing a haste liberalization agenda; countries emerging from conflict have been denied a chance to adopt specific and unique approaches to solve societal specific and unique challenges a situation that has perpetuated conflict recurrences.⁷¹⁷ This side of the debate professes a somewhat statist-cum-liberal peace approach to conflict reconstruction situations.

However, what is particularly intriguing is that their arguments are not clearly aligned to the assumptions of those that gave the statist approach its assumptions. They seem to argue for a somewhat metaphysical balance between liberalization and institutionalization, and quite clearly their arguments suggest institutionalization for liberalization. This study looks at such theorists as: Institutional Liberal Peace Theorists or statist-cum-liberal peace theorists. This is because their call cannot be dismissed as sheer statism; a call for authoritarianism, but rather call for functioning government institutions to guard liberalism from dwindling into the domain of the Anarchists who reject the state and government. Liberalism and its attendants like democracy and free market economics have their excesses for they are not natural laws of social morality,⁷¹⁸ and therefore the need for a functioning regulator ``government`` and its institutions cannot be wished away. The practice of the tenets of liberal peace, like open contestation

⁷¹⁷ Roland Paris, *At War's End*, 2004, notes that peace building operations have been a fiasco in many countries (like in Rwanda and Angola), not because the goals were not clear, but rather because the means were not well-thought. He castigates the notion of quick liberalisation, a method adopted by the International donors and institutions for economic and political development in countries emerging from conflicts. Accordingly, he argues for the creation of institutions for governance, curtailing, in the short-run political and economic competition, to create foundations for peace and democracy in the long-run. To him liberalisation should be preceded by institutionalisation. Although he does not show direct subscription in the statist approach in his treatment, his conclusion seem to show his believe in the statist approach to peace building and reconstruction even at the level of international Organisations and donors. However, it is in, *Bringing the Leviathan Back In*, that Roland, shows clearly his believe in the Statist approach to post-conflict reconstruction. He argues that modern liberal peace theorists, glorify liberal political and economic, without putting emphasis on functioning state institutions that guarantee order for such arrangements to work out. As a result, Paris observes that current academic research does not inform clearly post-conflict peace building in societies where the institutions for governance are weak, malfunctioning or completely missing.

⁷¹⁸ Robert Michels, *Political Parties: A sociological Study of the Oligarchical Tendencies of Modern Democracy*, Trans., Eden and Cedar, (New York: The Free Press, 1962).

of political power⁷¹⁹ require principled compromises and periodic free and fair elections require clear rules of engagement and agents of pacification like the police sector to ensure the lawless that may emerge as a concomitant of intolerance among the competitors is contained.⁷²⁰ Governmentality is as important to the liberal peace arrangement as it is to any other form of political engagement. This study is also of contention that institutionalization cannot be without an agenda. They argue for a focus on institutionalisation before liberalization; they do subscribe to liberalization that is backed with a considerable measure of state capacity. They fear state failure which can be a concomitant of a rushed operationalisation of a liberal agenda at its two levels; economic liberalization and democratization as political liberalization.

Their concern is that liberalization during post conflict reconstruction should not be seen as a move towards anarchy but rather a move to increased stability with functioning institutions of governance to ensure orderliness in society.⁷²¹ Indeed Boutros Boutros-Ghali; despite his unwavering belief in the sanctity of political liberalism—democratisation as expounded in his: *Agenda for Democratisation*; he also believes in the urgency of institutions during post-conflict peace building, a belief that is luminous in his suggestion for ensuring peace thus:

Peacemaking and peace-keeping operations, to be truly successful, must come to include comprehensive efforts to identify and support structures which will tend

⁷¹⁹ John Mary Waliggo, *Democracy and Human Rights Observance Since 1995: Lessons and Challenges for a Peaceful Political Transition*, A Paper Presented on The 9th Anniversary of the Promulgation of the 1995 Constitution of Uganda, A Constitutional Conference Organised by the Uganda Human Rights Commission, 6th-7th October 2004 at Hotel Africana, Kampala.

⁷²⁰ See, Paul Collier, Anke Hoeffler and Måns Söderbom, *Post-Conflict Risks* (Journal of Peace Research, Vol.45, No.4, Special Issue on the Aftermath of Civil War, July., 2008, Sage Publications Ltd, Stable URL: <http://www.jstor.org/stable/27640710>, Stephen D Krasner and Carols Pascual, (Foreign Affairs, Vol. 84, No. 4 (Jul. - Aug., 2005):154. Specifically also see, Richard Buteera, *The Role of Law Enforcement Agencies in the Transition*, A Paper Presented on the 9th Anniversary of the Promulgation of the 1995 Constitution of Uganda, A Constitutional Conference Organised by the Uganda Human Rights Commission, 6th-7th October 2004 at Hotel Africana, Kampala Edward Silvestre Kaweesi, *The Role of the military in Uganda's Transition to Democracy: Specific Reference to the Role of the Military and other Security Organisations during Elections*, A Paper Presented at Makerere University, Department of Political Science and Public Administration, Master of Arts in International Relations and Diplomatic Studies Class, 2008; Mimeo.

⁷²¹ Roland Paris, *At War's End: Building Peace after Civil Conflict* (New York, Cambridge University Press, 2004).

to consolidate peace and advance a sense of confidence and well-being among people. Through agreements ending civil strife, these may include disarming the previously warring parties and the restoration of order, the custody and possible destruction of weapons, repatriating refugees, advisory and training support for security personnel, monitoring elections, advancing efforts to protect human rights, reforming or strengthening governmental institutions and promoting formal and informal processes of political participation.⁷²²

Though in different historical moments and with a touch of liberalism they seem to mildly restate the imperativeness of Thomas Hobbes' ``Leviathan`` in times of crisis.⁷²³ They seem to be reading from the scripts of modern statist like Lee Kuan Yew who believed that democracy is a spoiler of development in its infancy, and that development requires a political autocracy to serenely direct the course of development action.⁷²⁴ To them the challenges that Post-Conflict reconstruction situations pose to the state are similar to the problems of state-building in low income countries: grappling with the challenge of poor and weak institutions. It is suggested that these problems coupled with the risk of the resurgence of violence as a major challenge to Post-Conflict Countries may; not be ably addressed through democracy.⁷²⁵ This is because whereas those who promote democracy assert that it lowers the incentives for rebellion—the resurgence of conflict, to the contrary, it is asserted that democracy in post-conflictual situations constrains the technical possibilities of government repression; thus making the re-occurrence of rebellion easier.⁷²⁶

⁷²² Boutros Boutros-Ghali, *An Agenda for Democratisation* (New York, United Nations, 1996),15

⁷²³ Having been influenced by the savageness of the English Civil Wars of the first half of the 17th Century; Thomas Hobbes in, *Leviathan* (1651) advocated the imperativeness of an absolute rule, a ``Leviathan`` to whom individual powers are surrendered to him in form of a social contract. The ``Leviathan`` is thus mandated to ensure tranquillity in the community of human beings.

⁷²⁴ Xiaoxiong Yi, *Lee Kuan Yew's legacy: Development under autocracy* (The Marietta Times, May 28, 2011).

⁷²⁵ Paul Collier, *Post-Conflict Economic Recovery*, A paper presented for the International Peace Academy, Department of Economics, Oxford University Revised April, 2006.

⁷²⁶ Paul Collier and Dominic Rohner, *Democracy, Development and Conflict*, <http://www.users.ox.ac.uk/econpco/research/pdfs/democracydevelopmentconflict.pdf>

So, how does Rwanda fit into that system of things, and the logic of this Chapter is guided by the question: what was the nature of Rwanda's development in state capacity during its post conflict reconstruction?

The logic of this chapter is further guided by the following questions: How did the civil-war which culminated into the genocide affect state-capacity? What reforms did Rwanda pursue to attain development in state capacity—what were the central focus areas? What was the outcome of the reforms which were undertaken to develop state capacity? What does Rwanda's experience mean to the debate between the liberal peace theorist and those which this study has precisely put as the institutional liberal peace theorist or the statist-cum-liberal peace theorists?

The major contribution of this chapter is two-fold:

At the academic level, the chapter makes a furthering empirical case for either the view that post-conflict reconstruction processes are dependent on the ability of the government to execute its functions, and that it is imperative for efforts aimed at thwarting violence during post-conflict reconstruction to begin with forging the enabling institutions of governance, or a direct focus on liberalisation process (democratisation and open-market economics) as a primary point of departure in post conflict reconstruction situations.

At the policy level, this chapter makes a furthering policy case for the view that policy actions of both local and national actors during post-conflict reconstruction should urgently address the challenges to state capacity if a resurgence of violence is to be avoided in post-conflict reconstruction situations.

Generally, the core functions of government have been put as; extractive, coercive and administrative—in relation to the provision of public goods, and the discussion of the state capacity of post-conflict-cum-genocide Rwanda Government is guided by the three functional areas; extractive, coercive, and administrative. In addition to other data sets from which the study generally obtains, at this point the study is also guided by Jonathan K. Hanson and Rachel Sigman's mechanism of measuring state capacity. They argue that whereas state capacity entails a measure of ingredients, the criteria has been

variously clustered under three indicators; extraction capacity which can be measured by the IMF's Government Finance Statistics; coercive capacity which can be measured by the Political Terror Scale; and the Administrative capacity which is measured using the Transparency International, ``Weberianness`` Index, and the outcomes of public goods and service delivery depicted in the percentage number of children enrolled in primary school, infant mortality rates or literacy rates.⁷²⁷ These data bases are reviewed within the time scope of 1994-2005 with a view to present a consolidated survey of the progress or non progress of Rwanda's state capacity. The presentation and discussion of Rwanda's state capacity is as follows:

From the proceeding analysis of supporting and off-putting data drawn from Rwanda post-conflict reconstruction process, it emerges quite clearly that even in the operationalisation of a liberal agenda as a rubric to guide a country's post-conflict phase, functioning state institutions are paramount. Indeed, this study contends that whereas a country can exist without pursuing a liberal agenda, a liberal agenda cannot be pursued without functioning state institutions. This makes a furthering empirical case for those who argue for institutionalisation before liberalisation. But even then, in the context of Rwanda, it emerges clearly that institutionalisation cannot be without an agenda, and the agenda can be a move towards liberalisation; and institutions built will reflect a move towards that agenda. In the context of Rwanda, institutionalisation reflected a move towards economic liberalisation—free market economics and democratisation which this study argues; was generally for the purpose of propaganda and gaining access to international finance. The cosmetic democratisation⁷²⁸ owes to the historical political circumstances of the country. To that effect, the detailed analysis is as follows:

⁷²⁷ See, Jonathan K. Hanson, Rachel Sigman, *Leviathan's Latent Dimensions: Measuring State Capacity for Comparative Political Research* Version, May 2013, <http://www.faculty.maxwell.syr.edu/johanson/papers/hanson-sigman13pdf>

⁷²⁸ This is a terminology which this study adopts to underline an issue that has been variously alluded to by various scholars that democracy with periodic free and fair elections would have culminated into what Mamdani calls ``democratic despotism`` where the Tutsi were to return to be subservient to the majority rule of the Hutus. In the immediate aftermath of the genocide and indeed in the foreseeable future of Rwanda an unfettered electioneering process that would easily hand victory to the Hutu minority was inconceivable to the Tutsi oligarchy, and thus the democratic procedures which were adopted were generally for ``cosmetic purposes`` geared towards eliciting positive international relations outcomes.

4.1.1 Post-Genocide Rwanda: ``Tout es a Faire``-- Everything Needs Doing; A lame Leviathan and international conditioning.

Apart from claiming the lives of 951,018; as reported by the census which was conducted by the Rwandan Ministry of Local Government in December 2001,⁷²⁹ and seeing many into exile, the end of conflict-cum-genocide phenomenon in Rwanda saw a near to collapse of governmentality in Rwanda. It was a near to collapse because when the Rwanda Patriotic Army took over Kigali; a semblance of control in Rwanda was restored though with a measure of deficiencies.

During the joint hearing of the Senate Foreign Relations Subcommittee on Africa and the House International Relations Subcommittee on Africa on Rwanda and Burundi, April 5, 1995, the then United States Special Coordinator on Rwanda, Townsend Friedman, in his statement, precisely put that, with the concomitants of the civil war and the subsequent genocide, by July 1994, Rwanda ceased to be a functional state. To him the concomitants of the civil-war which literally weighed down the state capacity of Rwanda were several, including; the death of at least 500,000, some two million Rwandans fled their country and another million were displaced inside Rwanda. Zaire was a host to over a million refugees; Tanzania to perhaps 500-600,000 and Burundi to over 200,000, the economy stopped as industry and farming came to a halt, most of the educated, doctors, lawyers, professionals had been killed or fled, the court system had only four out of 600 judges; majority had left the country, the government was without personnel, buildings and equipment, education halted in a country now bereft of teachers and school buildings, and health care collapsed with the destruction of hospitals, the death and departure of health care workers and the absence of medical supplies.⁷³⁰

The civil war which was punctuated with violence of a genocide character came to an end on the 18th day of the month of July, the year of 1994 and the RPF-led government was inaugurated in Kigali on 19th July, 1994.⁷³¹ Literally, it should emphasised that on the to-do-list of the new Government were several issues but most importantly as

⁷²⁹ Melvern, *A People Betrayed*, 2009, 248.

⁷³⁰ 166213.

⁷³¹ See, Melvern, *A People Betrayed*, 2009, 247.

Kagame put them during his meeting with the members of the United Nations Security Council were: dispensing justice, the issue of refugees outside the country, reconstruction and creating an environment conducive to the return of refugees.⁷³²

With the RPF at the helm of the functionality of government, the capacity of the RPF to function in three functional domains of state capacity; extraction, coercion and administrative capacity was to say the least of it variously encumbered. The state capacity the then new Rwandan Government was encumbered as result of the concomitants of the civil-war whose causes also obtained from the malfunctioning of the Habyarimana regime which had used state capacity to mobilise Hutu masses to participate in the massive slaughter of the Tutsis and Hutu moderates.

First, the new Government in Rwanda had to grapple with a dearth of human resources to professionally run the government. Key Government ministries were understaffed and operated below capacity. Conversely, donors did not prioritise the civil-service.⁷³³ Qualified public servants, those who were moderates were killed and those who were either indifferent or countenanced the genocide; were part of the massive movement of the Hutus to exile as a result of the fear of the probable vengeance of the Tutsi.⁷³⁴ During his visit, the Under-Secretary General of the United Nations Organisation for Humanitarian Affairs, Peter Hansen was literally shocked by the level of state collapse; that the Health Ministry had only four employees.⁷³⁵ It is alleged that the judiciary remained with only six judges and ten lawyers, but without a single gendarme to enforce law and order.⁷³⁶ However the allegation made by Melvern, in the sentence which precedes this about the judiciary was rendered an exaggeration when it was close examined with the data from the Ministry of Justice as of August 1997 which depicted that much as human resource levels considerably went down in the judiciary, it was not as bad, to put it literally, as the picture which Melvern painted. Even in the case of the Gendarme, Melvern employs a touch of exaggeration when she says that not even one

⁷³² 166109.

⁷³³ 165351.

⁷³⁴ Wm. Cyrus Reed, *The Rwanda Patriotic Front: Politics and Development in Rwanda*, A Journal of Opinion, Vol. 23, No.2, Rwanda (1995):48-53, African Studies Association, <http://www.jstor.org/stable/1166507> : 52. Also see, 165655.

⁷³⁵ 165105.

⁷³⁶ Melvern, *A People Betrayed*, 2009, 247.

remained. A cross examination of her allegation revealed that even as regards civil-policing which was supposed to execute arrests and investigations for the judiciary; of the 500 pre-genocide human resource capacity, 50 percent returned to work.⁷³⁷ The fact that Melvern publishes her book in 2009, she would have factored in her analysis the logic of data sets provided by other researches to give topicality to her conclusions. The data set which argues against Melvern's claims is as follows:

Table 5: *showing the number of judicial personnel before, immediately after, and later during the aftermath of the genocide*

	Before April 1994	October 1994	August 1997
Judges	Over 600	244	740
OMPs	87	14	110
JPIs	193	39	270
Registrars	214	59	198
Secretaries	100	28	63
Total	1194	384	1381

Adopted from: Stef Vandeginste, Justice for Rwanda and International Cooperation, Universiteit Antwerp, September 1997. Vandeginste uses data which was provided to him by the Rwandan Post Genocide Government which had taken stock of the inadequacies in the sector.

Indeed going by the figures of October 1994; the judicial capacity of Rwanda was to say the least insufficient to start on the prosecution of the many who had participate in the massacres.⁷³⁸ The figures of 1997 owe to the donor aid that had started flowing into the reconstruction of the judicial sector, but those are three years after the genocide, which meant that in some, if not in all instances justice was delayed.⁷³⁹ In the midst of

⁷³⁷ Fisiy, *Of Journeys and Border Crossing*, 1998, 25.

⁷³⁸ Also see, Human Rights Watch, *The Aftermath of the Genocide in Rwanda: Absence of Prosecution, Continued Killings*, September 15, 1994. See, Cyprian F. Fisiy, *Of Journeys and Border Crossings: Return of Refugees, Identity, and Reconstruction in Rwanda*, *African Studies Review*, Vol.41, No. 1 (Apr., 1998), pp. 17-28, African Studies Association, <http://www.jstor.org/stable/524679> , accessed: 03/06/2013 13:12. Also see, 165299.

⁷³⁹ Also see, Gasarase, *The Rwanda Conflict*, 1995, 37.

constrained capacity the legal/judicial system was urgent and the scope of its urgency was; trying and punishing or freeing most of the approximately 500 prisoners currently being held for participating in acts of violence during the civil war (the war crimes Tribunal will only prosecute a small fraction of these cases), resolving the property disputes that will arise (and those which had already arose) between returning ``new`` refugees and repatriating ``old`` refugees, and dealing with the daily crime and violence endemic to any society.⁷⁴⁰

The judicial challenges were aggravated by the lack of logistics like vehicles, communication equipment and stationery to run the judicial activities. The conditions in detention centres were worse and prosecution was extremely encumbered. For instance the Central Prison of Kigali which was housing 1,500 prisoners by September 15, 1994 and had only one prosecutor with five assistants. The number of prisoners had increased to 7,400 by January, 1995.⁷⁴¹ The Ministry of Justice lacked the capacity to feed prisoners and relied on handouts from the World Food Programme.⁷⁴²

Prisons were overcrowded and they operated in excess of their capacity. For instance, the number of prisoners in Kigali Prison rose to 700 by 8th October, 1994, over and above its population in the previous two weeks. In Butare, the population in prisons increased from approximately 250 prisoners to more than 1,000. The government could not feed these prisoners, thanks to the provision made by the World Food Programme.⁷⁴³ The ability of the Rwandan justice sector to engage in through investigations and prosecution though wanting, the gravity of the work it was supposed to undertake was daunting. For instance it had to prosecute the approximately 100,000 people who had allegedly participated in the Genocide. Patrick Mazimpaka, the post-genocide Rwandan Minister of Youth Affairs, and a staunch ideologue of the RPF informed the Christian Science Monitor that of the 100,000 to be prosecuted, 50,000 were member of the former government administration, 20,000 members of the former Rwandan Army, and 30,000 former

⁷⁴⁰ 165559.

⁷⁴¹ 165655.

⁷⁴² Human Rights Watch, *The Aftermath of the Genocide in Rwanda: Absence of Prosecution, Continued Killings*, September 15, 1994

⁷⁴³ 164957.

members of the Hutu genocide militia groups.⁷⁴⁴ But even with willingness to deliver on the justice indicator as the international community unceasingly demanded; the Government of Rwanda was incapacitated not only in terms of human, but also financial resources.⁷⁴⁵

In addition, as a result of looting by the members of the former regime, the national coffers were depleted. So, the new government was financially constrained, and without a starting point. The new Government had to start ``From Zero``.⁷⁴⁶ As a result of looting, the liquidity of banks was depleted. This saw the ``black market`` emerging as the only financial system.⁷⁴⁷ Reserves had been depleted of both foreign and local currencies.⁷⁴⁸ Rwanda had to quickly mobilise resources to avoid state failure which would have culminated into turmoil, but to minimal success. A dearth of financial resources undermined the ability of the new government to plan and execute its functions. The government had no money to pay health workers for instance the doctors and nurses who were quick to return for service, and that even the staff of the Civil Aviation Authority went without remuneration for some time.

The Government of Rwanda needed approximately USD 2 million to repair the public infrastructure and money to pay arrears.⁷⁴⁹ RPA Soldiers resorted to the primitive methods of tapping existence through ``banditry`` for the war had ended and still they were going without salary.⁷⁵⁰ This threatened an internal uprising even within the ranks of the RPA,⁷⁵¹ and it threatened to turn Rwanda into a criminalised violent state of Somalia proportions. The RPF led government was warned that such foolhardiness

⁷⁴⁴ 168923.

⁷⁴⁵ 189391.

⁷⁴⁶ Melvern, *A People Betrayed*, 2009, 247.

⁷⁴⁷ Henry Kwani Anyidoho, *Guns Over Kigali: The Rwandese Civil-War-1994, A Personal Account* (Kampala, Fountain Publishers, 1998):118. See, Human Rights Watch, *Rwanda/Zaire: Rearming with Impunity: International Support for the Perpetrators of the Rwandan Genocide*, Vol. 7, No.4, May 1995. Also see, Howard Adelman, *The Use and Abuse of Refugees in Zaire: April 1996 to March 1997*, 9. Also see, 165065.

⁷⁴⁸ Wm. Cyrus Reed, *The Rwanda Patriotic Front: Politics and Development in Rwanda*, A Journal of Opinion, Vol. 23, No.2, Rwanda (1995), pp. 48-53, African Studies Association, <http://www.jstor.org/stable/1166507> : 48

⁷⁴⁹ 165300.

⁷⁵⁰ 165340. Also see, 165548.

⁷⁵¹ Anyidoho, 1998: 118.

within its ranks was to cost it even the little international reputation which it forged.⁷⁵² Indeed it was as a result of the increased tension in Rwanda and Burundi as a result of criminalised violence which this time pitted the Tutsi against the Hutu; that the authorities in Tanzania quickly made radical political suggestions owing to the extent to which the refugee crisis which Tanzania was shouldering that:

These countries are not civilised, (and then), we have to tell them now; if they do not reform, Tanzania should take immediate military steps. (But,) If all fails, the government should review the 1883/84 Berlin Treaty at which whites divided Africa, where Tanganyika, Burundi and Rwanda were one country.⁷⁵³

This study contends that these suggestions were farfetched and emotionally packed. The idea of annexing Rwanda to Tanzania as a solution to the bloodletting experiences of Rwanda was not only untenable, but also diplomatically rude given the circumstances under which Rwanda found itself at that point in time. But, understandably, Tanzania was a reflection of its being overwhelmed by the Rwandan refugee crisis.

Noteworthy is that the ability of the new Rwandan government to administer the state, its administrative capacity as an element of state capacity; was grossly undermined as a result of abysmal levels of financial capacity. Even the basic requirements of a functioning bureaucracy like: offices chairs, desks, paper and telephone were generally lacking.⁷⁵⁴ It is not a moment to isolate when we read that government bureaucrats and Ministers had to go to the offices of UNAMIR to make official telephone calls and send faxes.⁷⁵⁵ It is also reported that the leadership of the Government of Rwanda had always to borrow the Presidential Jet of the President of Uganda whenever they were to make official visits. But what is telling enough is when we read that during his visit to Rwanda, the Under-Secretary-General for Humanitarian Affairs, Peter Hansen's Office had to lend a type-writer to the Prime-Minister Twagiramungu's office.⁷⁵⁶ The United States, on November 29th, 1994, by way of assisting the new Rwandan Government committed

⁷⁵² 164981.

⁷⁵³ 166253.

⁷⁵⁴ See, Prunier, 1995, 300.

⁷⁵⁵ 165340.

⁷⁵⁶ 165105.

USD 600,000 to procuring ``basic equipment for the ministries of justice and interior``.⁷⁵⁷ The absurdity of war and genocide had translated into the absurdity of a resource encumbered government in the midst of post-conflict challenges. Gerald Prunier graphically describes state of affairs after the civil-war-cum-genocide as follows:

Most of the infrastructure had been brutally looted, with door and window frames removed, and electric switches pried from walls. Almost no vehicles were running order except RPF military ones, in towns running water and electricity did not work and more although the crops on the hills were ripe, nobody was there to pick them.⁷⁵⁸

The multiplicity of the civil war-cum-genocide outcomes translated into a multiplicity of government functions to be executed but with a dearth of means. With approximately 1.5 million people internally displaced,⁷⁵⁹ food insecurity levels threatening deaths as a result of hunger, with absence of clean water threatening outbreaks of water borne diseases even among the internally displaced; the Government had no capacity to reconstruct the infrastructure of the country and provide the basic needs like water, health services and electricity to the people particularly the returnees.⁷⁶⁰

With approximately 250,000 women widowed and approximately 100,000 children wandering without family care and contact; with the Hutu refugee warriors threatening a full-blown resurgence of violence from the hideouts in Eastern Zaire; with the total collapse of the health and educational infrastructure as a result of looting of drugs and equipment;⁷⁶¹ and with the death and displacement of human resource who were manning these infrastructures, the new Government in Rwanda was overwhelmed by the tasks at hand. Also, the land tenure was topsy-turvy and had to be streamlined with a systematic system to establish ownership in the midst of several returnees from within and without Rwanda.⁷⁶² The then Minister of Rehabilitation, Bihozanga acknowledged that in the

⁷⁵⁷ 165545.

⁷⁵⁸ Prunier, *The Rwandan Crisis*, 1995, 299. Also see, Wm. Cyrus Reed, *The Rwanda Patriotic Front: Politics and Development in Rwanda*, A Journal of Opinion, Vol. 23, No.2, Rwanda (1995), pp. 48-53, African Studies Association, <http://www.jstor.org/stable/1166507>:51.

⁷⁵⁹ See, 164983.

⁷⁶⁰ 189363.

⁷⁶¹ Melvern, *A People Betrayed*, 2009, 247-248.

⁷⁶² 165308.

wake of the multitudes of returns; housing was becoming a major problem and the government had to take action.⁷⁶³ The demand for the Government to function was overwhelming and to the International community the RPF-led Government was:

No longer a rebel movement, the new government of Rwanda (had to) assume the extensive- and expensive- responsibilities of administering a country recovering from war and trauma. But the capacity was miniscule, (it needed a) range from human (professional staff in a variety of roles) to infrastructure (communications, electricity, water, financial) to mundane (type writers, computers, chairs and copy machines)⁷⁶⁴

Ironically, when Townsend Friedman, the United States Special Coordinator saw the confusion which was being generated by the lack of equipment, with government Ministers literally ``forming up and fighting over) personnel, office space, equipment``, he concluded that ``bureaucrats (were) functioning, but do not so far translate into effective government``.⁷⁶⁵ His choice of words in conclusion of what the competition for resources within the administration of Rwanda meant was satirical than serious; a clear pointer to the absurdity of foreign aid in post-conflict reconstruction. It is a contention of this study that it would have been appropriate for him to conclude that such competition pointed to how the dearth of resources was undermining the functionality of the Government of Rwanda; thus the urgency of aiding its reconstruction. He opted for a caricatural portrayal of the situation; as if to suggest that the journey to the reconstruction was a funfair affair.

Coherence in government is important for the systematic execution of government function, but the coherence of the Government of Rwanda was also wanting with several resignations and abscondment from duty not only by lower cadres but even Ministers. The crisis of confidence was high. For instance the Secretary of State at the Ministry of the Interior, Community Development and Rehabilitation, Beatrice Sebatwale Panda had to tender in her resignation while in Nairobi on 4th December, 1998, and on January 2nd, 1999, the Justice Minister Faustin Nteziryayo resigned his position under the pretext that

⁷⁶³ 165340.

⁷⁶⁴ 165099.

⁷⁶⁵ 166235.

he was going for further studies at Duke University in the United States. Indeed as early as December, 1994; the Prime Minister and Vice President, Twagiramungu and Paul Kagame respectively had started disagreeing publically more so when it came to the issue of national reconciliation. Twagiramungu blamed the RPA for its excesses which involved killing of civilians. To that effect, Twagiramungu's party, the Democratic Republican Movement (MDR) authored a 32 page manifesto; released in November, 1994 in which the RPF led government was variously criticised, but most importantly for executing a ``double genocide``.⁷⁶⁶ Kagame dismissed Twagiramungu's assertions as ``irresponsible``. The latter was relieved of his portfolio in August, 1995.⁷⁶⁷ Such public disagreements can partly be attributed to the military background and the inexperience of the then members of the Government of Rwanda in how to run a government during the early days of their governmentality. As regards the inexperience and military attitude of the members of the new Government in Rwanda it was noted thus:

``The entire Government of Rwanda (GOR) suffers from inexperience. In addition, the RPF/RPA operates from a straight forward military/ideological mindset. As political realities gradually temper, revolutionary zeal, we expect they will get better at dealing with the bigger world. For the most part we have found them a very bright and impressive lot``⁷⁶⁸

Also Alphonse Marie Nkubito, the first post-genocide Minister of Justice, a Human Rights Defender, who during the civil war refused to prosecute the Tutsi who were being held by the Habyarimana government over charges of being accomplices to the rebel activities of the RPF,⁷⁶⁹ was relieved of his duties in October 1995; after protesting sharply the killing of innocent people which he blamed on the RPF led Government during a cabinet meeting.⁷⁷⁰ Pasteur Bizimungu, the first post-genocide Rwanda President

⁷⁶⁶ 165554.

⁷⁶⁷ Johan Pottier, *Relief and Repatriation: Views by Rwandan Refugees; Lessons for Humanitarian Aid Workers*, African Affairs, Vol. 95, No. 380 (Jul., 1996), pp. 403-429, Oxford University Press, <http://www.jstor.org/stable/723574>.

⁷⁶⁸ 165571, Cable quoting the comments of the USA Charge de Affairs in Rwanda during his meeting with the RPF led Government Officials; Minister of Health Dr. Joseph Karemera, An RPA Colonel and Women's Affairs Minister Aloyisia Inyumba.

⁷⁶⁹ 168769.

⁷⁷⁰ Robert McG. Thomas Jr, Alphonse Nkubito Dies at 42: Ex-Rwanda Justice Minister, The New York Times, February 21, 1997.

also resigned his position in March 2000 as he disagreed with the RPF led government policies which entailed a crackdown on dissidents. He was later imprisoned in 2004 for 15 years⁷⁷¹ but later to be pardoned by President Kagame in 2007. This level of friction between the Hutu moderates and the Tutsis in the RPF- led Government undermined national reconciliation which the so called ``broad based government`` was supposed to ensure.

Corruption scandals served to taint the image of the government with allegations of the emergence of the new akazu (ruling oligarchy) that was plundering the country. The members of the government were criticised for profiteering from the genocide as they amassed property through embezzlement, favouritism, illegal expropriation of land and privatising national assets at low market rates.⁷⁷²

Another challenge to the coherence within the new Government was what was precisely put as the ``Tower of Babylon syndrome``; with most of the Senior members of the new Government and of the RPF being Anglophones from Uganda; Kagame, Inyumba, Karemera, Mazimpaka, among others as opposed to Francophone members; those who survived the genocide and those from Burundi. This saw a rift within the ranks of the new Government. The language rift would have been insignificant for the Kinyarwanda language acted as a uniting language but the linguistic differences reflected serious ideological differences; with the Anglophones having a vision of a unified Rwanda with the belief in the notion of the ``Banyarwanda people``. This attitude was opposed to the Tutsi dominance-ideology of the French speaking Tutsis some of whom were genocide survivors in Rwanda and others from areas of Congo, and Burundi; where bloodletting ethnic violence between the Tutsi and the Hutu also took place. The Francophone Tutsis never shared the belief of a ``Banyarwanda People``, and they also tended to radicalise the stance of the new Government towards the Hutus.⁷⁷³ The RPF-Government was challenged when it came to maintaining coherence and confidence among the people and within its ranks.

⁷⁷¹ BBC, OneMinuteWorld, News, From President to Prison, <http://www.news.bbc.co.uk/2/hi/africa/3728807.stm>.

⁷⁷² Filip Reyntjens, *Talking or Fighting? Political Evolution in Rwanda and Burundi*, 1998-1999, Current African Issues No. 21, Nordiska Afrikainstitutet, 1999:5-7.

⁷⁷³ 165553.

The government lacked enough coercive power to enforce law and order particularly in villages. It had no functioning police apparatus to enforce law and order and assist the judiciary in conducting investigations.⁷⁷⁴ Even the only existing form of coercion, the RPA, was not experienced in matters of civil policing. This also partly obtained from lack of a basic pay for the RPA elements; particularly the new recruits who lacked the revolutionary discipline of the original force, and thus resorted to criminality as a way of tapping survival. The RPA elements also resorted to grabbing property instead of protecting the bonafide owners, and some Tutsis procured their services of coercion particularly guns for the service of the highest civilian bidder interested in executing a revenge killing.⁷⁷⁵ The Government lacked the resources to pay and later feed the RPA. It also lacked the resource to train and later pay the civilian police agents.⁷⁷⁶ Even the weaponry of the former government which would have been added onto the stock which the RPF owned was taken to exile by the elements of the former regime.⁷⁷⁷

So, the RPF did not also benefit from the logistical benefits of a surrendering vanquished army as the Hutu army had the privilege of carrying its weapons to exile. It is also reported that of the approximately 500 members of the civil police, who were working with the judiciary to execute arrests during the pre-civil war-cum genocide period, only less than 50 percent returned to duty.⁷⁷⁸ A semblance of a criminal state was emerging in Rwanda in the aftermath of the genocide, but the Government had no functioning criminal investigation system⁷⁷⁹; for the RPF-led Government was encumbered at almost all the indicators of state capacity. To ensure security more so in the rural areas; there was a need to set-up civil police units and local administration units to be at the vanguard of law and order, but the money to use in the undertaking of such administrative action was not available and foreign aid was not forthcoming.⁷⁸⁰

⁷⁷⁴ Human Rights Watch, *The Aftermath of the Genocide in Rwanda: Absence of Prosecution Continued Killings*, September 15, 1994. Also see, 165536.

⁷⁷⁵ Prunier, *The Rwandan Crisis*, 1995, 301. Also see, 165558, 168919.

⁷⁷⁶ 165553.

⁷⁷⁷ Human Rights Watch, *Rwanda/Zaire: Rearming with impunity, International Support for the Perpetrators of the Rwandan Genocide*, Vol. 7, No. 4, May 1995. Also see, 164953.

⁷⁷⁸ Fisiy, *Of Journeys and Border Crossing*, 1998:25.

⁷⁷⁹ 165655.

⁷⁸⁰ See, 165536.

It should be emphasised that an indifferent international community that was slow to aid the RPF government proven a menace to the ability of the new Government to function. Even though the Rwanda Operational Support Group comprised a number of actors, and that they were very enthusiastic to be associated with the reconstruction of Rwanda; aid, more so bilateral aid was not forthcoming when it came to matters of state reconstruction. The level of enthusiasm of the membership of the Rwanda Operation Group can be determined basing on the attendance list of the Geneva January 17th, 1995 meeting. The attendance was as follows:

Table 6: *Attendance List of the Tuesday, January 17, 1995 Rwanda Operational Support Group Meeting at Geneva Switzerland*

Country	No. of those who attended
Belgium	8
Canada	4
France	4
Germany	5
Japan	5
Netherlands	4
Spain	5
Sweden	3
Tunisia	2
United Kingdom	3
USA	14
European Commission	2
OAU	2
Special Representative of the Secretary General to Rwanda	1
International Criminal Tribunal for Rwanda	2
United Nations Department of Humanitarian Affairs	3
UNCHR	1
UNHCR	3

UNDP	1
WFP	2
United Nations Children Fund	2
WHO	2
United Nations Department for Political Affairs	1
International Committee of the Red Cross	1

Source: File 166079, ZAF, Rwanda Operational Support Group: US mission, Geneva, Switzerland, Tuesday, January 17 1995: Attendance List, <http://www.state.gov/documents/organisation/166079>.

Though enthusiastic in being associated with the recovery of Rwanda, the international actors were not swift in aiding the reconstruction of the elements of Rwanda's state capacity. With a shattered economy and massive displacement of people, with the almost total collapse of the public infrastructure; schools and hospitals, Rwanda urgently needed economic assistance.⁷⁸¹

The Government of Rwanda needed foreign assistance to revivify the country's physical infrastructure and social service provision.⁷⁸² With France undermining the credibility of new Government through an orchestrated deliberate campaign to ensure that the international institutions do not channel assistance to the new government;⁷⁸³ the new Government had to grapple with a measure of international conditionalities which it had to fulfil for it to fully access foreign aid. For instance, in the early period of its reconstruction, the conditions which United States of America gave to Rwanda if it were to access assistance were as follows: allowing UNAMIR radio to operate immediately and broadcast conciliatory messages; creating a process for settlement of land disputes as a matter of high priority; enter into public and genuine discussions with moderate elements of the ex-FAR and former Rwandan government to establish cooperation in the conduct of tribunal effort and political reconciliation and military integration, and

⁷⁸¹ 165655.

⁷⁸² 165354.

⁷⁸³ Prunier, *The Rwandan Crisis*, 1995, 328.

allowing unimpeded access to UNAMIR and human rights monitors.⁷⁸⁴ Also The Belgium Ministry of Foreign Affairs, even when it was aware of how refugees were being held hostage by refugee warriors in Zaire; it insisted and particularly wanted the GOR, ``...to be pressed to provide concrete information on how and when reconciliation and refugee return. ``⁷⁸⁵ However, the Government of Rwanda lacked even the capacity to put in place the favourable conditions like civil-policing for the security of the returnees. Forthcoming international assistance would have furthered state capacity to that effect.⁷⁸⁶

However, even in their indifference which was juxtaposed with the imposition of conditionalities, the International community was particularly incoherent in how it envisioned the future of Rwanda; with the French preferring a focus on the internal political arrangement of the country, but with the USA preferring a focus on the issue of the repatriation of refugees. This scuffle was manifested in the debate which emerged between the French and the Americans as regards the agenda and the venue of the Rwandan conference. The French preferred an international venue and a discussion of the internal political arrangement of Rwanda, but the Americans preferred limiting the agenda of the conference to only refugee concerns.⁷⁸⁷ The major interest of the French was to ensure that the new Government in Rwanda was forced to undertake political reforms like the inclusion of the Hutus in Government and the commitment to undertake negotiations with the elements of the genocide regime, many of whom were in Congo. The United States insisted on tackling the refugee crisis first and then political concerns later. The letter of Cameron R. Hume to Ambassador Albright was blunt enough when it came to the agenda of the Rwanda Conference of 1994. He wrote:

``We would not be in favour of a French proposal to refer to the refugee conference ``in the context`` of the political conference. We think the refugee

⁷⁸⁴ 165548. Also see, 168776.

⁷⁸⁵ 165651. Also see, 168773.

⁷⁸⁶ 165654.

⁷⁸⁷ See, 165582.

conference needs to deal with concrete tangible steps and not get bogged down, at this point in theories. ``⁷⁸⁸

It is reported that France even tried to ``block aid`` by way of vetoing ``special credits for nearly USD 200 Million⁷⁸⁹ from the European Union for the reconstruction of Rwanda; arguing that the RPF had to be investigated for the atrocities it committed ``during and after the genocide``. United States was apprehensive that France might exploit the Hutu refugee crisis in Eastern Congo to undermine the new Government in Kigali.⁷⁹⁰ Individual citizens of France and Belgium even tried to undermine the investigations into what transpired during the genocide. Judge Goldstone who was selected to lead the investigations is said to have wondered why he was accosted by:

`` ... serious historians and professors from Universities, particularly from Belgium and France` who wanted to tell him that stories of genocide were untrue.``.

Also, though already encumbered by a dearth of financial resources, the World Bank required that the new Government repays USD 4.5 Million in arrears before it could access the USD 140 Million which had been budgeted for the reconstruction of Rwanda.⁷⁹¹ The arrears built over in the World Bank were to grow to USD 7.5 million by early 1995⁷⁹²; a matter which would have added a burden to the new but incapacitated Government. The International community had literally failed to stop the genocide and it literally engaged into ``arm-twisting`` and ``dilly-dallying`` even when it came to aiding the efforts to aid the reconstruction of Rwanda. It was only after a lot of international relations, punctuated with a lot of conditionalities that aid started flowing to Rwanda. It should however be remembered that Rwanda had no diplomatic representation in most of the foreign capitals for the period which immediately preceded

⁷⁸⁸ 16610.

⁷⁸⁹ Prunier, *The Rwandan Crisis*, 1995, 336.

⁷⁹⁰ 164769.

⁷⁹¹ Melvern, *A People Betrayed*, 2009, 250-254.

⁷⁹² 165309.

the genocide for it had no resources. This meant that Rwanda would not engage the international community at a full high level diplomatic representation.⁷⁹³

Indeed, it was in June 1995, when the Government of Rwanda had been financially constrained for more than six months, that Belgium, Canada, Norway, the Netherlands, Switzerland and the United States serviced the debt repayments of Rwanda to the World Bank at a tune of U.S. \$ 9.5 Million in June 1995 and the Bank approved the US\$ 50 million as emergency credit to Rwanda at the end of June 1995. An emergency grant was coming almost a year after the genocide. Even the United States which was the first International power to recognise the new Government in Kigali continued to use its humanitarian assistance as a leverage to make sure that the RPF forms an all inclusive government and put in place conditions favourable for the return of refugees like, the observance of human rights.⁷⁹⁴ But such demands where figuratively speaking; like putting the cart before the horse for even the observance of human rights require a functioning state with the police, judiciary and other apparatuses which Rwanda was not having even at a theoretical level. So Rwanda had to function without functioning capabilities.

Mention should be made that the international community and particularly the USA was aware of the threat of a resurgence of violence which was being posed by the Hutu refugee warriors in Congo and it knew that the coercive capacity of Rwanda, in this case the logistical strength of the RPA, was wanting. The United States however maintained its support for the retention of the United Nations Arms Embargo on Rwanda; yet the RPF had a mandate to protect its territory and its people. The Permanent Representative of Rwanda at the United Nations, Ambassador Bakuramutsa had reasoned to the Deputy Representative of the United States to the United Nations Security Council, Ambassador Inderfurth, during their meeting on 1st March, 1995, that the lifting of the embargo was not meant to ensure that the Rwandan Army was well dressed but rather to allow the procurement of arms for the defence of Rwanda. He noted that the rejection of the lifting of the arms on Rwanda was being construed as a punishment to the Government of

⁷⁹³ 164789.

⁷⁹⁴ 164732. Also see, 164782 and 165340.

Rwanda.⁷⁹⁵ The French and Russians in support of the retention of the embargo down played as ``small-scale`` the threat posed by the violent incursions into Rwanda by the refugee warriors, though USA was quick to add that military recruitment and arms build-ups in refugee camps would translate the ``small scale`` into major incursions.⁷⁹⁶ This mandate required a logistically strong military; for military capacity is a central element of state capacity. It is no wonder, therefore that the refugee warriors found it easy to wage incursions into the frontiers of Rwanda; after all to the USA:

Practically, the Government of Rwanda (did not) need the embargo lifted to defend itself or to avoid another genocide and they have got a lot better things to do with their money. This does not mean that the time may not come when moving to lift the embargo would be appropriate; we could even use it as a leverage``⁷⁹⁷

The choice of words in the quotation above, with ``does not mean that time may not come`` and then ``could even use it as a leverage`` depicts the extent to which USA was determined to set the agenda of the reconstruction of Rwanda even if it meant using the chicanery of its diplomacy employing its privileges of power. So, the Government of Rwanda, in its inexperience in international diplomacy, it had to grapple with somewhat disguised diplomatic rudeness, trickery and deceit seen in the delay tactics of the actors; using the challenges to the new Government as leverage to elicit concessions from it. This approach though it made the new Government of Rwanda to adjust its policies to ensure a ``broad based government`` and allowed human rights observers into Rwanda, it however undermined the moderate stance of some of the elements of the RPF who thought that the International Community was more concerned with the plight of the Hutus than the plight of the survivors of the genocide. As such, in some instances measures adopted to ensure the observance of human rights by the government of Rwanda were generally cosmetic, meant for international diplomacy but for no public policy implication. The resignation of some Hutu moderates from the RPF-led Government on allegation of dishonest on the side of the RPF government, yet inclusive

⁷⁹⁵ 166247.

⁷⁹⁶ 166245.

⁷⁹⁷ 166085.

politics allows room for divergence in opinion, is the most telling of how the achievement of a broad based government appeared to be short of inclusive politics but a design for propaganda and mobilisation of international aid. Figuratively speaking, if we are to adopt the Chinua Achebe metaphor it can be said that: since hunters had learnt to shoot without perching, birds had also learned to fly without perching. The new Government of Rwanda was also learning the gimmicks of international diplomacy; deceit and trickery in a bid to gain access to aid.

Even when the new Government appealed for assistance to sustain the daily running of Radio Rwanda as a way of reaching out to the people, the United States of America which had hitherto presented itself as the willing ally to the new Government was hesitant to aid directly the operations of the Radio beyond the supply of fuel. The USA feared being identified with the propaganda message which would come out on the waves of the Rwandan National broadcaster.⁷⁹⁸ The new Government was increasingly frustrated for even when it formed an all inclusive government ``a broad based government``, and the moderates from the MRND refused to join,⁷⁹⁹ the international community continued to use aid as a leverage to force the new Government to co-opt political groups particularly those comprising of the Hutus.⁸⁰⁰ This poor response to aiding Rwanda undermined the efforts of the government to embark on crucial reconstruction sectors like the justice and security sector.

Though humanitarian aid continued flowing, bilateral aid directly to the Government of Rwanda took time to start flowing; save for the assistance which came from the Federal Government of Germany. The Federal Government of Germany was swift in coming to the assistance of the Rwandan Government. For instance on 19th September, 1994, the Government of Germany resumed its bilateral assistance to Rwanda through a Press Statement which was made by the State Secretary for Economic Development and Cooperation, Hans-Peter Repnik immediately after their meeting with the President of Rwanda, Bizimungu; which Hans had together with Kinkel the then German Foreign Minister. In a press release German committed itself to unfreeze all the Development

⁷⁹⁸ 164956.

⁷⁹⁹ 164956.

⁸⁰⁰ 165315.

Assistance Funds at the tune of approximately 70-90million Deutsche Mark. This amount had been frozen at the beginning of the civil war in Rwanda. The money was made available for development and reconstruction programmes in Rwanda. Germany also pledged to lobby the European Union on behalf of Rwanda to resume economic cooperation for the reconstruction of the country.

Germany also put aside 246 million DM (160 million USD) of which 78 million DM came from the Ministry of Economic Cooperation and Development (BMZ) Non-emergency Aid to Developing nations' Fund, and was meant for the reconstruction of Rwanda for the year 1994. Indeed Germany provided a somewhat ``Marshal Fund`` for Rwanda as President Bizimungu had requested. Though Germany was cognizant of the need for the Government of Rwanda to ensure observance of human rights, its intention in providing funds for the reconstruction of Rwanda in a swift manner obtained from the logic that: Rwanda needed a government able to take on the challenge of creating a peaceful environment in which the country could be reconstructed.⁸⁰¹ Germany understood quite clearly the imperativeness of a functioning government in streamlining the process of reconstruction. That logic had eluded many an international actor for the liberal agenda of democratisation which had been reduced to a ``broad based government`` as a measure of reconciliation, had been elevated to a level of a political imperative which had to be adopted by the new Government of Rwanda if it was to be aided to reconstruct the institutions of government which are central to a functioning polity.

Conversely, when aid started flowing in, particularly from the World Bank, conditionalities were also abound, with the Government being required to strictly adhered to neo-liberal rubric provided under the Structural Adjustment Programme; a move to privatisation, deregulation of financial markets and the private sector, and a complete withdrawal of subsidies on social service provision. The SAPs led to cataclysmic outcomes in many countries particularly in Sub-Saharan Africa,⁸⁰² and it should be remembered that neo-liberalism under the SAPs were part of the issues which structured

⁸⁰¹ See, 165323.

⁸⁰² Kaweesi Edward Silvestre, *Globalisation Problematic: How and Why the Implementation of different policies under the rubric of globalisation have been creating serious problems and complications*, Makerere University, Department of Political Science and Public Administration, Mimeo, 2009.

the violence which culminated into the genocide, this is discussed earlier in Chapter 2 of this study.⁸⁰³ The Post-Genocide Government was also required to adopt that kind of economic script if it were to continue receiving financial assistance from the neo-liberal institutions but most importantly the Breton Woods institutions. Rwanda was emerging from a conflict of genocidal proportions and this placed a requirement for investment in social safety nets, but that was anathema to the rubric of the SAPs. However, the negative outcomes of improvidence which Rwanda would have suffered as a result of ``rolling back the state`` in the midst of a population in dire need of social services were offset by the providence of human needs by the humanitarian agencies which were operating in Rwanda.

The international conditionalities which were devoid of circumstantial considerations undermined the reconstruction of the state in Rwanda. However, even besides the neo-liberal economic rubric which Rwanda had to follow to the letter, the demand for national reconciliation as a condition sternly put on the new Government of Rwanda if it were to access foreign assistance⁸⁰⁴ also seemed to be farfetched even to the international community itself. As it was literally pushing Rwanda to embark on national reconciliation, the international community hardly knew what it would entail. The naivety of the international community was put by Townsend Friedman in a simple measure as follows:

National reconciliation is Rwanda`s biggest political problem and we collectively are facing (sic) the fact that we don`t know how to resolve it. Last week`s coordination Roundtable at UNDP elicited many ideas, but no one seemed convinced that this is a task the international community knows how to take on. We simply don`t know how to move ahead on National reconciliation, and need to consider whether it is an issue foreigners are qualified to take on.⁸⁰⁵

That level of naivety which was exhibited by the international community as regards what was supposed to be done in Rwanda translated into unnecessary delays in the aiding

⁸⁰³ But see, Mahmood Mamdani, *From Conquest to Consent as the Basis of State Formation: Reflections on Rwanda*, *New Left Review*, (Oxford, The Alden Press, 1996), for a precise treatment of SAPs Vis a Vis the violence in Rwanda that culminated into the genocide.

⁸⁰⁴ 166262.

⁸⁰⁵ 166235.

of the reconstruction of Rwanda as time passed as meeting—brainstorming sessions went on in the good offices of the international actors in the different capitals of the world. This delay served to disorient the enthusiasm of the new Government in performing its duties. It threatened the very national reconciliation which it sought to attain. To this effect, Townsend Friedman reported that:

I am reminded of Presidential Counsellor Marigande's comment to me two weeks ago that unless the achievements of the Government are recognised and encouraged by concrete assistance, hardliners will be tempted to push for a ``Go-it-alone`` program that satisfies their own ambitions. Moderates, both Tutsi and Hutu, appear now to be engaged in a struggle over the policy future of Rwanda with the ``Never Againers`` who see permanent Tutsi hegemony as the only guarantee against the future genocide.⁸⁰⁶

But the logic of the international community was to delay aid in the name of using it as a leverage to literally push the Government of Rwanda to countenance the liberal political reforms which were being recommended by the international actors, and high on the agenda was national reconciliation. National reconciliation requires a measure of state capacity which Rwanda lacked primarily in form of judicial capacity.

Despite the delay and the conditionalities, some international actors had a broad agenda as regards the recovery of Rwanda. For instance, the United States policy objectives with regard to Rwanda were but six and the USA committed its assistance to realising them. They included: facilitation of refugee return and national reconciliation and to this effect the United States provided USD 9 million to aid the restoration of public service provision infrastructure. It also provided USD 2.5 million to assist Rwanda in the repayment of the arrears of Rwanda to the World Bank so that the country can access the USD 50 million in emergency credit from the Bank, and USD 250 million was allotted to projects; facilitation of efforts aimed at maintaining stability and building confidence, and to this effect, the USA provided logistical support to facilitate the deployment of an ``expanded contingent of over 5,500 UN Peacekeepers``. It also allotted USD 750,000 to facilitate the work of the United Nations Human Rights Monitors of whom 60 of the

⁸⁰⁶ 166235.

planned for 147 had arrived in Rwanda at the fall of 1994; facilitation of measures which were aimed at ensuring accountability for the Genocide, and to this effect the United States of America co-sponsored the United Nations Security Council Resolution for the authorisation of the formation of Rwanda War Crimes Tribunal. It also provided personnel to assist in the work of the tribunal, particularly in investigation and allotted USD 1 million to facilitate the work of the tribunal; the United States also facilitated the promotion and respect of human rights, facilitated the enhancement of the security of the refugee camps and allotted approximately USD 250 million in Humanitarian assistance to refugees, and coordinated and mobilised the international community to aid the reconstruction of Rwanda.⁸⁰⁷

The USA was determined to reconcile its foreign policy with the fact that they had done little to avoid the Genocide, and part of the scheme to re-write the history of their influence in Rwanda was through ensuring that they played a pivotal role in the reconstruction of Rwanda. Indeed the commitment of the United States to the reconstruction of Rwanda was pictorially enormous as depicted by the representation during the meeting of the Rwanda Operation Support Group, which they had dubbed as the ``Friends of Rwanda. At the Geneva Meeting of January 17, 1995, as indicated in table 1 of this Chapter; the representation of USA stood at 14 members in comparison to Belgium which had only 8 representatives but to be the second in the number of representation.⁸⁰⁸ USA ensured had the privilege of numbers and therefore had the privilege to determine the trend of events. It should be mentioned that the focus of the USA was not limited to the issues that directly manifest political liberalism in Rwanda but also on building the institutions to enable a functioning polity as seen in USD 9 million which was meant to aid the public service. As such even in placing an array of

⁸⁰⁷ 166083, 166280, and See, 166017, a cable in which it was reported that Das Bushnell, the then Deputy Assistant Secretary of State for African Affairs, during the meeting which they had together with the Assistant Secretary of State for African Affairs, Ambassador Moose in December 13th, 1994, with then Vice President and Minister of Defence of Rwanda, Paul Kagame, put the policy objectives of United States, which had to be concurrently undertaken in relation to Rwanda as follows:

1. Security in and outside Rwanda
2. Accountability for all/all forms of killings
3. Return of refugees from all areas
4. Beginning reconciliation
5. Fostering dialogue to promote reconciliation
6. Broad-based, representative government.

⁸⁰⁸ See, 166079.

conditionalities on Rwanda to embark, in an expedited manner, on political liberalism, the USA was cognizant of the imperativeness of institutionalisation.

Another catastrophe which Rwanda had to grapple with during its post-conflict reconstruction period was that of a disillusioned and divided population with children traumatised with what they witnessed. With approximately 250,000 widowed, 100,000 children left alone and in fright; the new Government was challenged in how to bring back the enthusiasm among the Banyarwanda who were, in the aftermath of the genocide, divided into ``victims, survivors, returnees and perpetrators``. Raped women were grappling with psychological shocks of siring unwanted children.⁸⁰⁹ The legitimacy of the government had to be asserted at two levels: the level of the Tutsi returnees, and that of the survivors of the civil war and genocide; majority of them had lost confidence in a peaceful future. The Hutu people would not easily trust the new Government, and the government was generally ``suspicious`` of those who were affiliated to the defeated regime. The country was divided; with a social and political crisis of confidence manifested in the lack of trust among the people, and between the people and their government.⁸¹⁰ Indeed, the new Government `s capacity to provide for the population was infinitesimal that the refugees were being well catered for than the people inside Rwanda which made General Dallaire, the commander of the UNAMIR to complain that the act of feeding refugees than feeding those in Rwanda was counterproductive, and that, ``It just (created) future problems``.⁸¹¹ A psychologically disoriented population cannot be productive for development after conflict. So, the new Government had to reconstruct the; government infrastructure, its image and the population.

So, considering the foregone analysis it suffices to note that whereas to the logic of those who argue for institutionalisation before democratisation during post-conflict reconstruction the state capacity is sacrosanct for the success of a the democratisation agenda during reconstruction, in the context of Rwanda the International Community was pushing for democratisation as a leverage for international assistance for

⁸⁰⁹ Prunier, *The Rwandan Crisis*, 1995, 299.

⁸¹⁰ Wm. Cyrus Reed, *The Rwanda Patriotic Front: Politics and Development in Rwanda*, A Journal of Opinion, Vol. 23, No.2, Rwanda (1995), pp. 48-53, African Studies Association, <http://www.jstor.org/stable/1166507> : 48.

⁸¹¹ 164790.

institutionalisation. From the experience of Rwanda this system of things led but to one important phenomenon; the radicalisation of the Tutsi elements who thought that the international community was promoting the interests of the Hutu who to them were guilty of the genocide. It led to a delay in the reconciliation process that was, given the sentiments which led to the genocide and the nature of the genocide itself, to be understandably an arduous process. It also led to a delay in the assertion of the control of the new Government of Rwanda as far as law and order was concerned and this saw a measure of civil disorder but most importantly that which accrued to the indiscipline of the officers and men of the RPA who resorted to procuring their tools of coercion to the highest bidder targeting to execute a murder as a way of ensuring vengeance.

Accordingly, the push for the conformity of the new Government of Rwanda to particularly political liberalism during the immediate aftermath of the genocide came with increased civil disorder an indication of how costly it can be when the international community pegs international finance for reconstruction onto an adoption of the liberal agenda. This gives credence to the imperativeness of institutionalisation for liberalisation during post conflict reconstruction. Delay in aiding institutionalisation leads to delay in the move towards liberalisation. This is a hypothesis which emerges from the experience of Rwanda during reconstruction and it is further sustained and tested in the following treatment.

4.1.2 Post-Genocide Rwanda: ``Rehabilitating the Lame Leviathan``

To revamp the capacity of the state to function, the RPF- led government adopted a number of initiatives which were directed at ensuring a progressive improvement in the functioning of the government in the three functional areas, reiterated as; extraction, coercion, and administrative. At the Rwanda Round Table Conference of January 18-19, 1995, the Government of Rwanda committed itself to ensuring the return of Rwandese refugees, consolidation of security within the country, re-organisation of the judiciary, continuation of the process of democratisation as encapsulated in the Arusha Peace Accord, respect for fundamental freedoms, settlement of disputes over ownership, establishment of local government, formation of national army, national reconciliation, and committing persons suspected of genocide to courts of law.

As far as the economy was concerned, the Rwandan Government committed itself to ensuring operationalisation of the structural adjustment programme framework by implementing the privatisation policy, downsizing of the public service and adopting custom rates that do not reflect protectionism.⁸¹² The promise on downsizing seemed to be literally far-fetched for the bureaucracy was understaffed. However, a close look at what the new Government promised to attain reflects a liberal agenda. The mention of ``democratisation``, ``respect of fundamental freedom`` and then a commitment to the ``Structural Adjustment Programme`` point but to a liberal peace derived agenda in guiding the reconstruction process of Rwanda. But it deserves mention that the mention of ``re-organisation of the judiciary``, ``establishment local government`` and a ``national Army`` clearly point to the imperativeness of institutionalisation—which is precisely developing state capacity. The mentioning of ``security`` as part of the agenda of the reconstruction framework point but to the survival of the state which may be pejoratively put as ``regime`` security if it is done for the survival of the ruling elite than for the benefit of the state and all its components (territory, population and government).

⁸¹² Charles Gasarase, *The Rwanda Conflict: Sources, Evolution and Implications for Refugee Repatriation, National Reconciliation and Reconstruction*, Paper Presented at the Council for the Development of Social Science Research in Africa Conference, 4-7 September 1995-4-7 September 1995, Arusha, Tanzania, 1995:35.

First forward, it should be outlined that priority during reconstruction was put on the Justice sector for it was central to national reconciliation and it was acknowledged as a priority well conceived as it was to usher in a ``secure environment`` in which other reconstruction processes like social and economic reconstruction were to take place⁸¹³; given the circumstances which surrounded the reconstruction process in Rwanda—the genocide. The donor community also believed in the sanctity of reviving the justice sector as an entry point into the reconstruction of the Rwandan state.⁸¹⁴ It should be added that much as the donor community perceived national reconciliation as a cardinal attribute of Rwanda's recovery, the primary emphasis was put on enabling the justice sector as part of the administrative capacity of the new government of Rwanda as an avenue, a somewhat engine to facilitating the realisation of national reconciliation. So the point was not a straight focus on reconciliation as a political governance concern but rather to facilitating state capacity to be in position to facilitate an important governance issue. Indeed, a weak justice sector would have translated into a weak judicial apparatus thus a fragile reconstruction process. As it will be identified later in the discussion; where political governance issues were put before institutionalisation concerns the process to reconstruction was undermined.

As regards extraction, the new Government of Rwanda set up institutions for streamlining revenue collection and planning for the revenue collected. It also put in place enabling laws for a market economy. The sustainability of Rwanda's state capacity during its post conflict reconstruction was to depend on the ability of the new Government to collect revenue. Even with a multiplicity of donor assistance the new Government needed the capacity to collect taxes to supplement foreign assistance and prepare for the transition period that is normally punctuated with a reduction in emergence aid during the reconstruction period. This was also a conditionality from the International Financial Institutions, particularly the World Bank and the International Monetary Fund; which demanded extractive capacity, depicted in the existence of mechanisms to ensure revenue collection and monitor the utilisation of development

⁸¹³ See, Gasarase, *The Rwanda Conflict*, 1995, 35. Also see, Philip Gourevitch and Paul Kagame, *After the Genocide*, Indiana University Press, 1996, <http://www.jstor.org/stable/2935367>: 184. Accessed: 03/06/2013 13:16.

⁸¹⁴ 165559.

assistance as a guarantee for the frugal utilisation of aid and future repayment capabilities.

In a bid to reform the extraction and expenditure sectors of government the Government of Rwanda undertook a series of Revenue and expenditure management measures with a view to ensure increase in revenue collection and frugality in its utilisation. These measures largely obtained from a neo-liberal economic agenda, a rubric provided by the Breton Woods with emphasis on ensuring the taxation as a way of increasing the revenue of the state. Interestingly though, this was done under increased poverty levels. The tables below succinctly put the measures which were put in place:

Table. 7: Rwanda: Revenue Measures for 1998

	Revenue impact in % GDP	Implementation of date
Tax measures introduced in the second half of 1997 (full-year impact)		
(i) Introduction of ad valorem rates and increase in excise taxes on soft drinks (35 percent), beer (60 percent), liquor, wine, and cigarettes (70 percent), and petroleum products (25 percent)	+0.4	July 1997 (October 1997 for petroleum)
Tax measures introduced with 1998 budget		
(ii) Increase in sales tax (ICHA) from 10 to 15 percent and broadening of its coverage	+0.5	Feb. 1998
(iii) Decrease in maximum personal and company income tax rates (from 50 to 40 percent)	-0.6	Jan. 1997
(iv) Reduction in maximum tariff rate (from 60 to 40 percent) and average tariff rate (from 25 to about 21 percent)	-0.4	Jan. 1998

Revenue administration measures

- | | | | |
|-------|--|------|------|
| (v) | Reduction in under-invoicing through use of pre-shipment inspection, measures to reduce fraud, monitoring of petroleum imports and transit trade, elimination of unjustified exemptions for NGOs/diplomats, and reduction in exemptions through a system of tax credits for public investment-related imports | +0.4 | 1998 |
| (vi) | Operationalisation of the Rwanda Revenue Authority (including a strong large enterprise unit, and introduction of a taxpayer identification number for all enterprises) and application of a 4 percent turnover tax on enterprises with turnover of less than RF 100 million (4,000 enterprises to be covered in 1998) | +0.3 | 1998 |
| (vii) | Collection by the budget of debt service on retroceded debt and dividends from public enterprises | +0.1 | 1998 |

Autonomous changes in 1998

- | | | |
|--------|---|------|
| (viii) | Lower coffee export tax proceeds related to projected lower coffee prices | -0.3 |
|--------|---|------|

Total revenue effort	+0.4	(to 10.7 percent
	percent	of GDP)
	of GDP	

Table 8: Rwanda: Expenditure Management Measures for 1998/99

	Implementation date
(i) Closely monitor the new decentralization of expenditure management	Ongoing
(ii) Improve budgetary management through enhanced cash forecasting and monitoring	1998
(iii) Commence computerization of budget and treasury management (with technical assistance from AfDB)	1998
(iv) Strengthen the integration of recurrent and development budgets to improve budget prioritization (with technical assistance from the World Bank)	1998
(v) Commence development and introduction of a system of public accounts	1998
(v) Promulgate an organic budget law	December 1998
(v) Transfer ministries' bank accounts to the treasury account with the NBR	End-1998
(v) Incorporate all extra-budgetary accounts into the national budget	1998
(i) Establish a strengthened central tender board	Mid-1998
(x) Establish an Auditor General's office	Early 1999

Source: Table one (1) and two (2), adopted from: IMF Letter of Intent of the Government of Rwanda which describes the Policies that Rwanda Intends to Implement in the Context of its Request for Financial Support from the IMF, Kigali, June 4, 1998, <http://www.imf.org/external/np/loi/060498.htm#memo>

The idea was to prepare Rwanda for a fully operational market economy, and whereas this connoted liberalism, the point of departure was institutionalisation. Accordingly, the new Government embarked on an arduous process of reforming the extractive capacity of Rwanda. Instructive of the institutions which were focused on to enable extraction were; the National Bank of Rwanda and the Rwanda Revenue Authority (RRA).

The Rwanda Revenue Authority was put in place to enable the extractive capacity of the new Government of Rwanda. Hitherto the administration and accountability on revenue collection was a function of the Ministry of Finance and Economic Development, but by Law no. 15/97 of 18th November 1997, the Rwanda Revenue Authority was formed with an objective to streamline the collection of taxes for the development of the country.⁸¹⁵

Given the multiplicity of functions which the Ministry of Finance and Economic Development was supposed to execute, with a duty to coordinate the development recovery of Rwanda, indeed, the creation of an autonomous body to foresee the extractive functions of government was important. Making the RRA operational was punctuated with several challenges particularly the problem of skilled human resource which made the operationalisation of the whole organisational structure problematic, and the problem of a narrow tax base which made revenue targets hard to attain.⁸¹⁶ But the measures captured in Table one (2) of this Chapter depict the reforms which the government undertook to overcome the challenges in the extraction sector. The expenditure management measures captured in Table two (3) were meant to ensure that Revenue collected and other non revenue financial resources like foreign aid are utilised appropriately.

The National Bank of Rwanda was strengthened and its independence deepened by the Central Bank Law of mid-1997.⁸¹⁷ This was meant to allow it to play a central role in streamlining the monetary policy of Rwanda, ensure timely reporting of monetary status reports of the country to the International Financial Institutions; particularly the IMF, as a conditionality for continued access to the lending facility of the institution. The

⁸¹⁵ See, Rwanda Law no. 15/97 of 18th November 1997, establishing a Rwanda Revenue Authority.

⁸¹⁶ IMF Letter of Intent of the Government of Rwanda which describes the Policies that Rwanda Intends to Implement in the Context of its Request for Financial Support from the IMF, Kigali, June 4, 1998, <http://www.imf.org/external/np/loi/060498.htm#memo>

⁸¹⁷ IMF, *Letter of Intent of the Government of Rwanda*, 1998.

National Bank was also tasked to ensure the regulation of the foreign exchange market to curtail the shocks which would emerge from the increased flow of aid on the liquidity levels of the economy.⁸¹⁸

Indeed, by September, 2005, the National Bank of Rwanda had put in place several monetary policy instruments to ensure the effective management and regulation of the monetary sector. The instruments are categorised under; Rules based instruments, market-based instruments and liquidity forecasting framework. These included but not limited to; rules-Based Instruments, reserve requirements; which stood at 8 percent in 2005, of the unremunerated deposits with NRB, and denominated in local currency for local currency denominated deposits and in US Dollar for foreign currency deposits, refinance Standing Facility; with Banks allowed to borrow on demand from the NBR against collateral in the form of high quality commercial paper at a punitive rate which stood at 12.5 percent in 2005, deposit Standing Facility; with Banks allowed to place funds overnight within the NBR at a rate below market rates which stood at 5 percent, market-Based Instruments, weekly deposit or credit auction; an instrument to inject/withdraw liquidity using multiple price auctions ('appel d'offers') of 7-day maturing (at times 14 days). This measure was meant to ensure the injection/withdrawal of liquidity in money markets as a way of curtailing inflation. The NBR was mandated to announce the maximum/minimum rate for its deposit/credit auction as a monetary policy, primary Issuance of t-bills for monetary policy purposes. The NBR was supposed to auction t-bills to absorb liquidity for a period longer than 7-14 days (typically 4 weeks). The auction (multiple price tenders) took place at the same time as sales of t-bills to finance the budget, foreign exchange auctions; as a mechanism which was adopted basing on the structure of Rwanda's balance of payments—with a current account deficit which was financed by official foreign assistance. This was done through weekly auction sales of foreign exchange to authorised banks, and the liquidity Forecasting Framework; was also created and it was based on the projection of bank liquidity for the 10-day period ahead and performance in meeting base money and net International Target

⁸¹⁸ IMF, *Rwanda: Financial System Stability Assessment Including Reports on the Observance of Standards and codes on the following topics: Monetary and Financial Policy Transparency, Banking Supervision, and the FATF Recommendations for Anti-Money Laundering and Combating the Financing of Terrorism*, IMF Country Report No. 05/309.

decisions made for the mix of sales of t-bills for monetary policy purposes, NRB deposit/credit auctions, and NBR foreign exchange auctions.⁸¹⁹

These monetary policies, among other reforms precisely documented in the IMF documents, facilitated Rwanda to gain the confidence of the International Financial Institutions whose major interest was to be certain of a fully functioning a monetary control system to ascertain Rwanda's ability to receive and consume foreign financial assistance with sufficient ability and capacity.

The two institutions in the narrative above are not exhaustive of the array of institutions which were put in place and those which were reformed with the aim of ensuring an extractive and financial management sector. However they do suffice to show how institutionalisation was very primary to the reconstruction process in Rwanda for even access to foreign aid from the International Financial Institutions required a guarantee of a functioning monetary and a financial acquisition (tax extraction) and a planning system epitomised in the strengthening of the operations of the Ministry of Planning and Economic Development in Rwanda, the National Bank of Rwanda and the creation of the Rwanda National Revenue Authority.

At this point the study summaries all the structural reforms which were undertake between 1995-2005; as a way of aligning the Rwanda state to the International Standards which were also conditionalities for access to financial assistance from the Structural Adjustment Facility of the International Monetary Fund. An array of these, as it will be seen in table preceding this, were largely liberal in approach; a matter which depicts how Rwanda's reconstruction of state capacity was generally directed to the purpose of accessing international finance as a result of the financial constraints that came with the end of the civil-war. Also, they serve to underscore that even in a completely liberal oriented reconstruction agenda institutionalisation is sacrosanct; as an array of these reforms are regulatory frameworks and functionary agencies; two important aspects of institutionalisation. They are presented in a tabular format as follows:

⁸¹⁹ See, IMF, *Rwanda: Financial System Stability Assessment Including Reports on the Observance of Standards and codes on the following topics: Monetary and Financial Policy Transparency, Banking Supervision, and the FATF Recommendations for Anti-Money Laundering and Combating the Financing of Terrorism*, IMF Country Report No. 05/309:16.

Table 9: Key Structural Economic Reforms undertaken in Rwanda during the period 1995-2005

Money and Banking
1997 New Central Bank law adopted
2001 Introduction of weekly foreign exchange actions
2002 Full Audits of three Commercial Banks
2002 First external audits of the NBR
Exchange and Trade Relations
1995-99 Reduction in maximum tariff rate from 100 percent to 25 percent
1997 Export surrender requirement eliminated
1998 Article VIII accepted
1999 Export taxes eliminated; NTBs removed
2002 80 percent reciprocal reduction in COMESA tariff.
2004 Entry into COMESA FTA
Fiscal Policy and Management
1997 Revised direct tax code introduced
1997 Rwanda Revenue Authority established
1998 Establishment of the Office of the Auditor General
2000 Computerised tax data management (ASYCUDA) introduced
2001 VAT introduced
2002 TAX code revised
2004 Organic Budget law approved
Privatisation
1998 sale of Petro Rwanda Assets
2000 Establishment of Private Sector Federation
2001 Liberalisation of telecommunication Sector
2003 Private Management of electric utility
2004 sale of BCR, BACAR

Other

1998 Demobilisation and reintegration Program beings

1999 Adoption of Rwanda Investment Act

2000 Adoption of Revised Internal Trade Act

2002 Establishment of Public Utilities Regulatory Agency

2003 Adoption of a new constitution

Adopted from: IMF, Rwanda:2004 Article IV Consultation Staff Report; Public Information Notice on the Executive Board Discussion; and Statement by the Executive Director for Rwanda, IMF Country Report No. 04/382, December, 2004.

International Financial standards were adhered to by the Rwanda extraction institutions and financial planning institutions. The statistics and comments from the IMF indicated a considerable measure of progress which Rwanda had made as far as financial reporting was concerned. For instance, Rwanda had made considerable progress in ensuring that proper statistics for internal (state) economic control and planning and for external (International Financial Monitoring) system for monitoring compliance to international standards were generated and transmitted. Instructive of these adherences to statistical international financial procedures included that:

It was reported that real data was transmitted regularly to the International Finance Statistics (IFS) for publication. These statistics included the statistics generated by the Statistics Directorate of the Ministry of Finance and Economic Planning (MINECOFIN) on national accounts although it was reported that the validity of the data generated was generally weak as a result of the lack of skilled human resources and material resources to facilitate data collection. It was equally reported that these inadequacies in data collection were reported to have led to ``uncertainties regarding the composition of GDP``.⁸²⁰

⁸²⁰ IMF, Rwanda:2004 Article IV Consultation Staff Report; Public Information Notice on the Executive Board Discussion; and Statement by the Executive Director for Rwanda, IMF Country Report No. 04/382, December, 2004.

The inadequacies of the Statistics Directorate of the MINECOFIN, the study contends that they were compensated for by the actions of the NBR which was reported in 2004 to have put in place an improved Consumer Price Index (CPI). By 2004, the NBR had addressed problems regarding regional and consumption basket coverage and it as a result covered 438 goods for which a total sample of more than 25,000 was observed in Kigali (weighted 77 percent) and in provincial towns.⁸²¹ More statistics which were reported, not regularly though, included; data on revenue and expenditure (with delays of 3-4 weeks) generated by the flash-reporting unit of MINECOFIN.⁸²²

On the monetary statistics, the balance sheet of the NBR was transmitted to the African Department of the IMF on a weekly basis with a lag of one week; with the consolidated balance sheet of Commercial Banks and Monetary Survey being transmitted on a monthly basis. However, on the balance sheet payments statistics, inconsistencies between data provided by the NBR and that recorded by the Customs authorities were glaring. And some trade went unreported, and there was scanty of information when it came to invisible transactions, but to be attributed to lack of skilled personnel.⁸²³ Other monetary statistics which were being reported to STA and IFS included annual balance of payments and quarterly import and export data including the methodology notes which described the approach used to compile data for balance of payments statistics. Also data bases on external public debt were maintained by both the MINECOFIN and the NBR.

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Indeed, the successes of Rwanda in putting in place the institutional infrastructure to enable economic liberalisation- free market economy saw a considerable flow of foreign assistance from both multilateral and unilateral agencies. Rwanda consistently scored high on financial and monetary reporting. The issue was not the implementation of an economic liberal agenda, but rather putting in place a liberal institutional arrangement as an indicator of how the economy was to function. It is those institutional indicators, depicted by the nature of state capacity attained to enable the workings of a liberal economy that saw Rwanda benefiting from the flow of international finance for its

⁸²¹ IMF, 2004.

⁸²² Ibid.

⁸²³ Ibid.

⁸²⁴ Ibid.

reconstruction. For instance a result of Rwanda's compliance to the reporting criteria on economic performance of the IMF, Rwanda was granted eligibility to withdraw an amount said to be equivalent to SDR 0.37 million (about USD 0.86 million) for the fourth round, bringing the total of the amount disbursed under the Poverty Reduction and Growth Facility arrangement to about SDR 2.86 million (about USD 4.3 million) since its approval in August 12th, 2002.⁸²⁵

However, the gain for the new Government may not have been directly in increased economic liberalisation, but rather in the primary benefits it comes with; particularly the unfettered access to financial assistance from the Breton Woods which Rwanda urgently needed given the dearth of financial resources it grappled with during the aftermath of the conflict. So, the example in the paragraphs preceding this suffices to show how Rwanda was committed to making adjustments to international standards in order to access aid as a way of facilitating its economic growth and development during the reconstruction period. However, at the centre of this compliance to international standards was an array of state institutions a matter that underscores the sanctity of institutionalisation during the reconstruction period.

Systematic planning was enhanced and instruments of monitoring and evaluation of economic progress were adopted. Producers, consumers and other indices were developed and the mechanisms to collecting, analysing and storage of data for future use were devised. Further reforms were also undertaken to ensure the reconstruction of other units of state capacity, and the discussion is as follows:

As regards the function of coercion, Rwanda embarked on security sector reforms with a goal to professionalise its military and police sector. The RPF was reformed with an agenda to promote unity among the people, ensure peace and stability. Its ideology was also streamlined to reflect both ``soft`` and ``hard power`` elements.⁸²⁶ The RPF thus

⁸²⁵ IMF, *IMF Executive Board Completes the Fourth Review of Rwanda's PRGF Arrangement and Addresses Misreporting of Information*, Press Release No. 05/85, April 13, 2005, IMF, 700 19th Street, NW Washington, D.C. 20431 USA.

⁸²⁶ According to Rugasagara, *Resilience of A Nation*, 2009, who gives an exposition to the exploits of the RPF during and after the Civil-War, the objectives of the RPF were aligned along ``hard power`` and ``soft power`` configurations. With ``hard power`` he referred to the population of the country, military equipment and machinery, the economy, territory and its resources, and with ``soft power`` he meant

embarked on a modernisation agenda with a view to acquire modern weaponry and training. However, it also became an integral element of the modernisation process of Rwanda in terms of development and improving on the livelihood of the people. Also by the year 2000, 30,000 and more ex-FAR members and members of the militia groups had been re-integrated into the National Army,⁸²⁷ and given training to orient their ideology from the genocide ideology to non-racist military ideology. The reformed security sector of Rwanda after 1994 was as follows:

Table 10: *Illustrating the Security Sector Reforms undertaken by the Government for the period 1995-2009*

Outline of the Security Sector Institution/Agency	Mandate/Function
Rwandan Defence Forces	Immediately after the 1994 genocide, the responsibility for maintaining national security rested solely in the hands of the armed wing of the RPF, the Rwandan Patriotic Army. Now, the Rwandan Defence Forces—largely made up of former RPA soldiers—are responsible for the defense of the country's territorial integrity and national sovereignty (Mironko and Rurangwa, 2007: 216)
Rwandan National Police (RNP)	Established by Law No. 09/2000 of June 16, 2000, after the Government of National Unity decided to combine the former Gendarmerie Nationale, which was under the Ministry of Defense, with the former Communal Police under the Ministry of Internal Affairs and the Judicial Police under the Ministry of Justice (Kigali City, 2008).

culture, language, legends and myths, fashions and customs. The RPF was supposed to be the custodian of the security of these two elements of power.

⁸²⁷ Frank Rugasagara, 2009:198.

Criminal Investigation Department (CID)	Responsible for coordinating criminal investigation activities. It is comprised of six individual units, each with its own special tasks: Criminal Investigations and Scientific Police (C.I.S.P), Anti-Narcotics Unit (A.N.U), Economic and Financial Crimes (EFU), Interpol, Criminal Records Office (C.R.O) and Administrative Unit (RNP, 2009a).
Provincial Judicial Police	Coordinates and supervises criminal investigations by judicial police officers (RNP, 2009a).
INTERPOL	Also known as the National Central Bureau (NCB), it links the Rwandan National Police to the Interpol General Secretariat in Lyon France and National police forces of other member states of Interpol. It is responsible for combating trans-national organized crimes such as drug trafficking, human trafficking, crimes against women and children, cyber crimes, money laundering, terrorism, stolen or forged travel documents, motor-vehicle theft, etc. (RNP, 2009c).
East African Police Chief's Committee (EAPCCO)	Ten East African member countries cooperate for the purpose of security and capacity building (BIG, 2007).

Adopted from: Rwanda: Country Profile, Security Sector Reform Resource Centre, CIGI, <http://www.ssrresourcecenter.org/wp-content/uploads/2010/04/country-profile-Rwanda-April-7pdf>

It is on these Security Sector Reforms that Judicial Reforms; which are discussed in the subsequent part of this chapter were added as a way of enhancing the administrative function of Rwanda with a goal to move towards higher levels of political liberalism. Also the donor agencies were of great help at this level. However the desire of the authorities to realise but most importantly the stability concerns of the new Government which they had forged was a major driving force to a committed operationalisation of the

reforms for they were presented as conditionalities to the Rwandan government if it were to be guaranteed aid.

Thus, as regards the administrative function of state capacity, a number of reforms were undertaken to revamp the public service of Rwanda. Instructive, for the effective administration of the state, a new constitution was promulgated in 2003 with a mission to ensure peace and stability in Rwanda. One of the most sacrosanct attributes of the new Constitution was Article 152 which provided for the establishment of the Gacaca Courts⁸²⁸ and the National Service for the monitoring and evaluation of the activities of these courts as part of the Post-Genocide Judicial infrastructure. The discussion of the efficacy of the Gacaca courts as agencies of justice whose work was inaugurated on the 18th of June, 2002 by President Kagame;⁸²⁹ has been ably discussed in both scholarly and commissioned research by international and local civil-society actors. This study alludes to some of them of those studies in the discussion, but for this study, it suffices to say that the Gacaca courts initiative was one the mechanisms through which the new Government of Rwanda sought to administer justice.

Without the Gacaca courts, it is said; that it would have taken approximately one hundred years (100) for the normal court process in Rwanda to bring all the culprits to justice.⁸³⁰ Indeed at the time of the closure of the Gacaca tribunals' sessions on 18th June, 2012, the 12,100 Gacaca tribunals at the grassroots had tried two million people with 65 percent of those convicted of genocide related crimes.⁸³¹ However, the Human Rights

⁸²⁸ According to Chris Maina Peter, Edith Kibalama, eds., *Searching for Sense and Humanity: Civil Society for a Better Rwanda*, A Report of the Fact-finding Mission to Rwanda organised under the auspices of Kituo Cha Katiba, July, 2004-February, 2006 (Kampala, Fountain Publishers, 2006):48, notes that the Gacaca Judicial System was: modelled on the basis of the Gacaca dispute settlement methods used by Rwandans in their traditional setting. Literally, Gacaca is a smooth and clean grass which people comfortably sit on. This grass can be under a tree or on a hill and it is while sitting on grass that people discuss and settle their disputes. The disputes vary in terms of seriousness. It may be a case between a man and his wife; a girl getting pregnant, a daughter wanting to marry a person not known by the kin and so on. A Gacaca may also deal with issues of a criminal nature such as cattle theft or other forms of disputes. Occasionally, a Gacaca may also sit to sort out a misunderstanding between one village and another.

⁸²⁹ See, Maina and Kibalama, eds., *Searching for Sense and Humanity*, 2006, 49.

⁸³⁰ Stella Ballabola, *Perceptions About the Gacaca Law in Rwanda: Evidence from a Multi-Method Study*, in, Centre for Conflict Management, *Les Jurisdictions Gacaca et le Procesus de Reconciliation Nationale* (Butare: Editions de L' Universite Nationale du Rwanda, 2001): 99.

⁸³¹ Aljazeera, *Rwanda Closes 'gacaca' genocide courts: Grassroots tribunals tried some two million people accused in 1994 genocide, earning Praise for ethnic reconciliation*, <http://www.aljazeera.com/news/Africa/2012/06/201261951733409260.html>, last modified: 19 Jun 2012 06:28, Accessed: 13:22hrs, 09/12/2013.

Watch in its report which appraised the activities of the Gacaca system, the incipient flaws of the system were delineated as follows: restrictions of the accused's ability to mount an effective defence; possible miscarriages of justice due to using largely untrained judges; trumped-up charges some based on the Rwandan Government's wish to silence critics. But the same report was quick in acknowledging the achievements of the tribunals noting that the Gacaca Court system had seen: ``swift trials with popular participation, a reduction in the prison population, a better understanding of what happened in 1994`` helped with locating bodies of victims and thwarted ``a possible easing of ethnic tensions``.⁸³² As a result of its findings, the Human Right Watch Report was inundated with criticism particularly its methodology. The Dutch Ambassador to Rwanda, Frans Makken, was particularly irked by the small sample of only 350 cases that the report based on to make conclusions on the efficacy of the Gacaca tribunals out of the two million trials. Frans Makken irritation was quite understandable given the fact that the Netherlands Government was the major funder of the Gacaca experience,⁸³³ and the Netherlands had been seconded by the International Community particularly the USA to guide the process of political reconciliation in Rwanda.⁸³⁴ But even a sample of 350 cases out of two million cases is inconceivable in appraising a project of Gacaca nature.

Part of the reconciliation administrative infrastructure was the National Unity and Reconciliation Commission an agency whose creation was enabled by the Arusha Accords of 1993, and later empowered by Article 178 of the Constitution of Rwanda of 2003 and the Law No. 3/99 Setting up the National Unity and Reconciliation Commission of 12th March, 1999⁸³⁵, and Law No. 35/2002 Modifying and Complementing Law No. 3/99 of 14th November, 2002.⁸³⁶ The mandate of the Commission entailed, preparing and coordinating the national Programme for the

⁸³² See, Aljazeera, *Rwanda Closes 'gacaca' genocide courts*, 19 June 2012. Also see, HRW, *Justice Compromised: The Legacy of Rwanda's Community-Based Gacaca Courts*, May 2011 <http://www.hrw.org/sites/default/files/reports/rwanda0511webcover.0.pdf>, accessed: 13:31 hours, 09/12/2013.

⁸³³ Magnus Mazimpaka, *Human Rights Watch under scrutiny over controversial Gacaca Report*, The Independent, Saturday, 11 June 2011, 09:37, <http://www.independent.co.ug/news/regional-news/4269-human-rghs-watchunderscrutiny-overcontroversial-gacaca-report>, accessed: 13:36hrs, 09/12/2013.

⁸³⁴ 166270.

⁸³⁵ Rwanda Laws, Law No. 3/99 Setting up the National Unity and Reconciliation Commission of 12th March, 1999.

⁸³⁶ Rwanda Laws, Law No. 35/2002 Modifying and Complementing Law No. 3/99 of 14th November, 2002.

promotion of national unity and reconciliation, putting in place and developing ways and means to restore and consolidate unity and reconciliation among Rwandans, educating and mobilising the population on matters relating to national unity and reconciliation, carrying out research, organising debates, disseminating ideas and making publications relating to peace, national unity and reconciliation, making proposals on measures that can eradicate divisions among Rwandans and to reinforce national unity and reconciliation, denouncing and fighting against acts, writing and utterances which are intend to promote any kind of discrimination, intolerance or xenophobia, and making an annual report and such other reports as may be necessary on the situation of national unity and reconciliation.⁸³⁷

Among the tangible outputs of the National Reconciliation Commission was the National Reconciliation Barometer which was a culmination of an intensive study which was funded by the UNDP and DFID which gathered information on the perception of the Rwandans as regards; political culture, human security, citizenship and identity, understanding the past, transition justice, and social cohesion. This study was important to the extent to which it was going to guide future efforts by the Rwandan government to thwart a resurgence of violence of genocide character. Among the policy recommendations was; that inequality between the rich and the poor was fuelling divisionism in today's Rwanda, the feeling that though ethnicity was banned, 31.5 percent of the respondents reported that ethnic discrimination was manifest, and 30.5 percent reported that Rwandans still ``judge`` each other basing on ``ethnic stereotype``, the Political parties were still thriving on ethnicity in their activities, that 40 percent of the respondents reported that since the end of the genocide, the problem of access to Rwanda and housing worsened, and that some citizens feel that they do not have a clear leverage to participate in public policy making and other decisions to influence government action.⁸³⁸

Equally important, still on the work of the National Reconciliation Commission of Rwanda, was the survey which it conducted to ascertain the level of social cohesion in

⁸³⁷ Maina and Kibalama, *Searching for Sense and Humanity*, 2006, 52.

⁸³⁸ National Unity and Reconciliation Commission, *Rwanda Reconciliation Barometer*, Republic of Rwanda, October 2012: 86, <http://www.nurc.gov.rw>.

Rwanda. The survey highlighted the challenges of Rwanda when it came to realising national reconciliation and gaps in the provision of human needs which guarantee human security. Indeed, in the National Reconciliation Barometer report, human security to which this study gives a substantial analysis but within the context of thwarting a resurgence of violence during reconstruction was presented as a concomitant of the provision of human needs; a relationship which this study underscored in its conceptual chapter.

The challenges and opportunities which were unravelled by the social cohesion survey, which pass for a somewhat Human Security Score Card for Rwanda, conducted between June and September 2007, in all the 416 administrative units of Rwanda with 9,980 respondents, are depicted by the following results.⁸³⁹:

The report highlighted that social cohesion was still problematic in Rwanda with 58 percent of the respondents believing that it was ``naïve to trust others`` but with 97 percent believing that the government was committed to ameliorating their lives which was a coup for the state capacity of Rwanda for trust of the citizens in their government is an important source of legitimacy. As a result between 70 percent and 85 percent acknowledged the efficacy of the decentralisation process; a mechanism adopted by the Rwandan government to ensure people participation in decision making and bringing service provision closer to the people. And whereas 91 percent of the people acknowledged citizen participation in decision making; only 47 percent reported to have participated in decision making and this pointed to the need of sensitizing the public on the importance of citizen participation in government decision making process which decentralisation allows.

The low level of participation in decision making as part of the objectives of decentralisation of government functions was equally reported when it came to participation in associations and civil society activities; with respondents reporting only participation in local saving and credit groups (41 percent of respondents belonged to one in 2007) and 27 percent belonging to spiritual organisations by 2007 and only 3 to 7

⁸³⁹ For the detailed information see, National Unity and Reconciliation Commission (NURC), *Social Cohesion in Rwanda: An Opinion Survey, Results 2005-2007*, Kigali, 2008.

percent reporting membership in cultural or sports associations, community user committees, local charitable organisations. No reportage was done on membership to political civil-societies that engage in rights activism probably owing to the government attitude towards these organisations that has been generally reported as anti-political activism. The low levels of participation of the citizens in others levels of civil-societies can only be explained to the general apathy that people developed in social groupings for the genocide was partly accelerated by community groupings.

As regards issues which guarantee human survival of which land is cardinal in Rwanda, the survey found out that the percentage of the landless was fluctuating at an average of 12 percent and that many respondents were in favour of land reforms, with 62 percent against bequeathing ancestral land to one's children, 59 percent advocating regrouping of land to be under a single tenure system, 64 percent agreeing that dependency on agriculture was no longer viable. This reveals how aware and sensitive the citizens were when it came to addressing the issues which literally fuelled the genocide. Land was part of the genocide saga as earlier explained in chapter two of this study and the citizens trusted in the government in solving the land related problems.

When it came to the plight of women, the survey reported that 59 percent of the women in comparison to 53 percent of the men headed families classified themselves as being poor. Those women also reported lack of access to land and that those who owned and cultivated land reported access to fewer plots in comparison to men. Also fewer women (16 percent) reported active participation in public affairs in comparison to 28 percent of men. Little participation of women in ``economic self-help groups`` was also reported. This meant that whereas the civil-war which culminated into the genocide left many women widowed, women empowerment was a challenge which the government had to grapple with if it was to uplift the general living standards of women in Rwanda.

On the regional trends as regards social-economic wellbeing, inequality was reported with the Southern Province, owing to the extent to which it was hit by the genocide, reporting high levels of poverty in comparison to the North, the East and the Kigali provinces. 90 percent of the respondents in the South self-reported themselves as being poor in comparison to the self-reported levels of the Eastern and Northern Province

which stood at 61 percent and 56 percent respectively. In the Kigali province, poverty self reporting levels stood at only 17 percent below the poverty line. It should be remembered that regional disparities in income distribution were part of the genocide saga and with the disparities which were reported the government of Rwanda had a task of how to reduce on regional disparities as a mechanism to ensuring sustainable peace and development.

When it came to issues of justice, with particular focus on the: Effectiveness of the Gacaca in Adjudicating Crimes of Genocide , 98 percent of the general population, 96 percent of the survivors, 83 percent of the prisoners believed in the effectiveness of the Gacaca judicial system. 95 percent of the general population and 75 percent of the prisoners believed in the efficacy of the Gacaca system in eradicating ``the culture of impunity``.

However, whereas 92 percent of the general population had trust in the inyangamugayo (respected Banyarwanda elders) who presided over the proceeding of the tribunals, 69 percent of the survivors and 32 percent of the prisoners expressed mistrust in the elders.

On witness testimonies, it was reported that two thirds of the population believed that witness accounts on both prosecution and defence sides were untrustable. 83 percent of the prisoners expressed disbelief in the truthfulness of persecution witness accounts and 77 percent of the survivors had disbelief in defence witness accounts.

Equally important was the responses of 80 percent of the survivors that the genocidal ideology were still living on in Rwanda and that defense witness were underplaying the extent of crimes of genocide.

Still on the challenges to reconciliation and cohesion, 76 percent of the survivors expressed their misgiving that ``gacaca aggravates tension between families`` ``and that (63 percent of the respondents believed that) families of those found guilty will always feel resentful`` an argument that is rejected by 63 percent of the prisoners, but to agree that testimonies during Gacaca hearings aggravated tension. This also depicted the challenge of ensuring justice in an emotionally disoriented setting of Rwandan nature.

On insecurity and fear of retribution, 82 percent of the survivors and 54 percent of the prisoners felt threaten during the proceedings of the Gacaca tribunals. This pointed to the quick capitulation among the culprits as a result of fear and the falsification of the prosecution witness evidence as a way of ensuring that there is little or no room for the culprit to escape conviction. This undermined the efficacy of the Gacaca Courts as mechanism to dispersing justice to both the victims, survivors and perpetrators of violence which culminated into the genocide.

So, whereas the results of the social cohesion survey revealed much as regards the challenges which Rwanda faced as regards its reconciliation process, the results were also indicative of the contribution of the National Reconciliation Commission to the recovery of Rwanda as it conducted surveys which provided empirical evidence to guide in the government in the planning and execution of its core functions with a view to addressing the issues that might have led to structuring future violence. These results pointed to problematic nature of Rwanda's reconciliation process and the uncertainty of its future with reconciliation. The trust in the Gacaca process was low in both the victims and convicts of the genocide crimes. This indicates that as Rwanda pursued justice, and reconciliation was either neglected or undermined by the institutional arrangement of justice. The Gacaca was more inclined to Justice than a balancing of it with reconciliation, and since this study limits its scope for the period 1994-2005, an inquiry into the extent to which Rwanda has progressed on the concerns of the social cohesion survey of 2007 as a way tracking progress as a measure to ensure the aversion of a future catastrophe in Rwanda by way of recommendation at this point; it should be undertake, and the elements of the survey can be extend to other post-conflict areas as a way of measuring the progress of those societies on the social index which is important for the promotion of human security.

Another important agency as far as playing an oversight role as regards the activities of Government of Rwanda is the Office of the Ombudsman. The Office of the Ombudsman is provided for by The Rwanda Constitution of 2003, with amendments through 2010, Chapter VII of Title VIII. In its functions it is enabled by the Law establishing the Organisation and Functioning of the Office of the Ombudsman (Law No. 25/2003 of 15th

August, 2003).⁸⁴⁰ According to Article: 182 (Amendment no.04 of 17/06/2010) of the Rwanda Constitution of 2003, the core functions of the Office of the Ombudsman are, acting as a link between the citizen and public and private institutions, preventing and fighting against injustice, corruption and other related offences in public and private administration, receiving and examining, in the aforementioned context, complaints from individuals and independent associations against the acts of public officials or organs, and private institutions and to mobilise these officials and institutions in order to find solutions to such complaints if they are well founded, and receiving the faithful declaration of assets of the; the President of the Republic, the President of the Senate, the Speaker of the Chamber of Deputies, the President of the Supreme Court, the Prime Minister, the other members of the Cabinet, Senators and the Deputies, Generals and high ranking officers of the Rwanda Defence Forces, Commissioners and high ranking officers of the National Police, Leaders of the National Security Service, Leaders of Local administrative entities with legal personality, Judges by profession and prosecutors by profession and judicial officers, those in charge of receiving, managing and controlling the public finance and property, those responsible for public tenders in central administration, commissions and specialized public institutions, local administration, public institutions with private management, institutions in which government holds shares, state owned projects and officials of those institutions, those in charge of taxes and revenues, and other civil servants or other servants that are connected with public finance and property as well as those whose activities could lead to corruption and related practices as the law may determine.⁸⁴¹

Research on the efficacy of this institution has been scanty save for the World Bank commissioned study by Dan Barnes. In that study it was found out that reportage of complaints was generally representative of all the regions of the country by 2010 with Western standing at between 200 and 250 cases, Eastern at 300, Southern standing at between 200 and 250, Northern at 200 and Kigali City at 500 and 550 owing to its higher population. It was also observed that reportage of corruption related cases had been steadily increasing since 2005 from an average of 40 index cases to 120 index cases in

⁸⁴⁰Rwanda Laws, The Law establishing the Organisation and Functioning of the Office of the Ombudsman (Law No. 25/2003 of 15th August, 2003).

⁸⁴¹ The Rwanda Constitution of 2003, Article: 182 (Amendment no.04 of 17/06/2010).

2009. However the report also reported a measure of inadequacies in the work of the ombudsman in Rwanda. It cited that in 2008, the Declaration of Assets Unit had received 4,929 declarations but could only verify 5 percent of that declaration by use of random and targeted selection. Also whereas the Office of the Ombudsman was in position to resolve 84 percent of the complaints received in 2008, a subset of complaints against government agencies was not responded to; nine (9) against the Ministry of Defense, six (6) against the Ministry of Justice, eleven (11) against Kigali City and four (4) against the Ministry of Trade.

Those inadequacies are explained by the challenges the Office faced. With an operational staff capacity of forty seven (47) employees by 2010, with budgetary constraints that saw the salaries of its staff being lower at least for some time in comparison to the salaries of employees of other government agencies, the agency could not execute its functions with expected efficiency. Also the fact that its budget approval is part of the wider framework of government priorities and that its approval is supposed to be done by parliament and allocation done by the Ministry of Finance and Economic Planning; subjects the Office of the Ombudsman to unnecessary political pressure and political lobbying something that impacts on its administrative, regulatory, investigative and enforcement capacity.⁸⁴²

But it suffices to say that in this post-conflict reconstruction phase which culminated into the promulgation of the constitution of 2003 and other enabling laws, issues of accountability and transparency in the execution of government business were also part of myriad of issues that were considered to streamline the state capacity of post conflict Rwanda.

Also related to issues of social justice and social equity, key elements in the relationship of that state and its people, are the issues of human rights. The reconstructed state in Rwanda put in place the National Commission of Human Rights. The commission whose functions are precisely provided by Article 177 of the Constitution of Rwanda of 2003 and enabled in its activities by Law No. 4/99 establishing the National Human Rights

⁸⁴² Dan Barnes, *Office of the Ombudsman of Rwanda: A Review of the Effectiveness of Anti-Corruption Agencies*, World Bank, September 2010.

Commission of 12th March, 1999⁸⁴³ as Amended by Law 37/2002 Modifying and Complementing the Law No. 4/99 of 31st December, 2002,⁸⁴⁴ and Law No. 04/99 of 12/03/1999⁸⁴⁵. The constitution puts the a number of tasks into the docket of the commission including; educating and mobilizing the population on matters relating to human rights, examining the violations of human rights committed on Rwandan territory by State organs, public officials using their duties as cover, by organizations and by individuals, carrying out investigations of human rights abuses in Rwanda and filing complaints in respect thereof with the competent courts, and preparing and disseminating an annual and other reports as may be necessary on the situation of human rights in Rwanda;⁸⁴⁶

However, the fact that in the year 2002, when the Chair of the Commission Gasana Ndoba's contract expired it was not renewed by the government, allegedly as a result of the Commission Report of 2001 that was seen by the government as being overly critical of the human rights performance of the state agencies as a result of torture, unexplained disappearances, and the unexplained role of the military in matters of human rights abuse,⁸⁴⁷ depicts how politically unfettered was the work of the Human Rights Commission. This incident did not augur well for the future oversight role of the commission when it came to holding government to account when it came to the observance of human rights.

Equally central to the furthering of social justice and social equity is the work of the Judiciary. The judiciary as outlined earlier was left, to say the least, topsy-turvy by the genocide. Accordingly, its reformation during the reconstruction period was urgent as part of the reconstruction of the enabling institutions of state capacity in Rwanda. The Constitution of Rwanda of 2003 under Chapter 5 provides for the Judiciary, with Section 1 delineating the `` General Provisions`` of the Judiciary. The judiciary structure was

⁸⁴³ Rwanda Laws, Law No. 4/99, establishing the National Human Rights Commission of 12th March, 1999.

⁸⁴⁴ Rwanda Law, Law No. 37/2002 Modifying and Complementing the Law No. 4/99 of 31st December, 2002.

⁸⁴⁵ Rwanda Laws, Law No. 04/99 of 12/03/1999.

⁸⁴⁶ The Constitution of Rwanda of 2003, Article 177.

⁸⁴⁷ See, Maina and Kibalama, *Searching for Sense and Humanity*, 2006. Also see, CORDAID/ICCO/KERKINCITE and NoVIB, *Tell Our Government it is ok to be Criticised* (Rwanda Monitoring Project Report, 2003).

restructured to include ordinary and specialized courts as follows; Ordinary Courts, Supreme Court, the High Court of the Republic, the High Instance Tribunals and, Grass-root tribunals; Specialized Courts like the Gacaca Courts and Military Courts⁸⁴⁸

The mandate of the Supreme Court is provided for under Article 145, and it entails; hearing appeals against decisions of the High Court of the Republic and the Military High Court rendered in their first or appellate degrees as provided for by the law, ensuring that Courts act in accordance with the law, coordinating and supervising their activities, hearing petitions on the constitutionality of organic laws, laws, decree-laws and International treaties and agreements, resolving upon request, disputes relating to powers arising between different state organs, hearing election petitions relating to referendum, presidential and legislative elections, trying in the first and last instance criminal cases against the President of the Republic, the President of the Senate, the Speaker of the Chamber of Deputies, the President of the Supreme Court and the Prime Minister, administering the oath of office taken by the President of the Republic and the Prime Minister before assumption of their duties, trying the President of the Republic on charges of high treason or grave and deliberate violation of the Constitution. In such case, the decision to file charges against the President of the Republic with the Supreme Court shall be taken through a vote of both Chambers of Parliament meeting in joint session, by a two-thirds majority vote of members of each Chamber, declaring vacant of office of the President of the Republic in case of the President's death, resignation or conviction and sentence for high treason or grave and deliberate violation of the Constitution, and on matters relating to the organisation of the judiciary, the Supreme Court may propose to the Government a bill of any nature amending existing law in public interest, and to provide authentic interpretation of custom which is unwritten and in respect of which the written law is silent.⁸⁴⁹

In its functions, the Supreme Court is enabled by the several Organic Laws, including; Organic Law Modifying the Law of February 23, 1963 Concerning the Organisation of the Supreme Court (Law No. 23/2000 of 11/10/2000), Organic Law Modifying the

⁸⁴⁸ The Constitution of Rwanda, 2003.

⁸⁴⁹ The Constitution of Rwanda, 2003.

Organic Law No. 07/96 of June 6, 1996 on the Organisations and Functioning and Competence of the Supreme Court (Law No. 21/2000 of 11/10/2000), and Organic Law Establishing the Organisation, Functioning and Jurisdiction of the Supreme Court (Law No. 01/2004 of 29/01/2004).⁸⁵⁰

The mandate of the High Court is provided for under Article 149 to include; jurisdiction to try in the first instance certain serious offences committed in Rwanda as well as some offences committed outside Rwanda as specified by the law, hearing in the first instance cases relating to the violation of Articles 52, 53 and 54 of the Constitution committed by political organizations, and jurisdiction to hear in the first instance certain cases involving administrative law, political organizations, elections and such other cases as an organic law may determine, and it also hears, as a court of last instance, appeals against decisions of lower courts as determined by law.⁸⁵¹

At the time of writing, Rwanda had four chambers of the High Court, including Chamber of Nyanza, Chamber of Rusizi, Chamber of Rwamagana, and Chamber of Musanze

Also are the Provincial Courts and the Court of the City of Kigali which are provided for under Article 150 and enabled by several Organic Laws, including; Organic Law Modifying and Completing the Decree-Law No. 09/80 of July 7, 1980 on the Organisation and Judicial Competence of Courts (Law No. 22/2000 of 11/10/2000), Organic Law Determining the Organisation, Functioning and Jurisdiction of Courts (Law No. 07/2004 of 25/04/2004).⁸⁵²

⁸⁵⁰ See, Rwanda Laws, Organic Law Modifying the Law of February 23, 1963 Concerning the Organisation of the Supreme Court (Law No. 23/2000 of 11/10/2000); Organic Law Modifying the Organic Law No. 07/96 of June 6, 1996 on the Organisations and Functioning and Competence of the Supreme Court (Law No. 21/2000 of 11/10/2000); and Organic Law Establishing the Organisation, Functioning and Jurisdiction of the Supreme Court (Law No. 01/2004 of 29/01/2004).

⁸⁵¹ See, The Constitution of Rwanda

⁸⁵² See, The Constitution of Rwanda. And see, Organic Law Modifying and Completing the Decree-Law No. 09/80 of July 7, 1980 on the Organisation and Judicial Competence of Courts (Law No. 22/2000 of 11/10/2000), Organic Law Determining the Organisation, Functioning and Jurisdiction of Courts (Law No. 07/2004 of 25/04/2004).

The Grass-root tribunals are provided for under Article 151 established at each District, Town and Municipality in Rwanda.

The Gacaca Courts and the National Service for the Follow-up of their Activities; are specialized courts provided for by Article 152 of the Constitution of Rwanda of 2003, with a mandate to try and judge cases and crimes against persons accused of the crime of genocide and crimes against humanity.

The Military Courts comprising of the Military Tribunal and Military Court are provided for under Article 154 and Article 155 respectively. The Military Tribunals are supposed to try, ``... in the first instance all offences committed by military personnel irrespective of their rank.`` And the Military High Court provided for by Article 155 is mandate to, ``...try in the first instance, all offences which constitute a threat to national security and murder committed by soldiers irrespective of rank. Decisions of this Court can be appealed at the Supreme Court.

To facilitate the judicial system, the National Assembly of Rwanda was steadfast in formulating and adopting legislation to streamline the administration of justice. Some of the legislations which were adopted have been already mentioned in our discussion of the nature of the judicial system adopted in the aftermath of the genocide, but it suffices to state the core legislations which were adopted immediately after the end of the conflict. They include; the Organic Law on the Organisation of prosecutions for offences constituting the crime of genocide or crimes against humanity since 1 October 1990 became operational on the 1st of September 1996. This legislation specified the categories of those accused of genocide crimes; genocide organizers, supervisors and offenders of property. It also provided for the notion of confession and plea as instances which attract reduction in the gravity of the punishment, the law relating to provisional modifications to the Criminal Procedure Code which became operational on 15th December 1996, but applying to the issues which occurred starting on 6 April 1994. This legislation was meant to streamline genocide related arrests and detentions which had been earlier executed by the government. The excesses of this legislation were outlined that someone could be legally detained for more than six months without trial (for instance from 1st December 1997 to 14 July 1998). Whereas this law allowed the government enough time

to execute arrests, detain the culprits for as much as time would allow gathering evidence for prosecution. But it was against the cardinal principles of natural justice that are put in a simple measure that: Justice delayed is justice denied.

Equally important was the adoption of the *Loi Organique portant organization fonctionnement et competences du Conseil Supérieur de la Magistrature*, and the Organic Law relating to the organization, working and competence of the Supreme Court, by the National Assembly on March and June 1996 respectively. This was meant to ensure that the operations of the ordinary courts are streamlined with clear terms of reference in their administration of justice.

On the 15th of April 1997, a Law establishing a bar in Rwanda was Gazatted and a bar was established on the 30th day of August 1997 with 44 graduate lawyers who were Rwandans admitted to it, together with other ``corps of judicial defenders`` without a University degree but permitted to give legal representation to offenders appearing before tribunal courts.⁸⁵³

To assist the victims of the genocide, The National Assembly passed the Law No.2/1998 Establishing a national Assistance Fund for Needy Victims of Genocide and massacres committed in Rwanda Between 1st October 1990 and 31st December 1994. It should be noted that as much as this law came into force on 1st February 1998, it had been effective from 1st January 1997. Article I of this legislation provides for the category of the people who are supposed to benefit from this fund as: ``... the needy victims of the genocide and massacres committed in Rwanda between October 1st, 1990 and December 31st, 1994``, and the Chapter III, Article 12 provides for the source of the ``Fund Assets`` to include; the State allocates annually to the fund an amount equal to 5% of the State's ordinary budget ,money legally got from forsaken properties, donations, indemnification from abroad to Rwanda because of the genocide and massacres, the money equivalent to 2% of indemnification related to genocide and massacres without prejudice to the 4% usually put in the public treasury, however, any salary earner puts as least 100 Rwandan francs in the Fund annually. Every Rwandan citizen aged 18 puts at least 1% of his or her annual

⁸⁵³ Vandeginste, *Justice For Rwanda and International Cooperation*, 1997:3-4.

salary, every nonprofit making organisation operating in Rwanda puts in the Fund at least 10.000 Rwandan francs annually, people carrying out liberal profession shall put annually 50.000 Frw in the national assistance fund, every registered businessman shall put annually at least 10.000 Frw for retailer, 50.000 Frw for wholesaler, 100.000 Frw for manufacturers, importers and international transporters.

Also apart from limited companies which put at least 20.000 Frw each year, any public establishment, parastatal establishment, commercial company other than limited company (collective named company, limited partnership company, company with limited liability) puts at least 100.000 Frw each year.

It also stated that in case there is a risk of having a situation of cumulative dues provided in points 9 and 10 of the present article, the company shall only put the contribution determined in point 10, all other legal fund-raising means capable to enhance the resources of the Fund shall be used with respect to law, and interest produced by sums paid into the Fund.⁸⁵⁴

It should however be noted that the criteria for determining who to benefit from the Fund was not clearly streamlined for all people were affected by the genocide in one way or the other; including the Hutus who faced violence from the avenging Tutsi population that went on even after 1994. The mandate of the fund would have been extended forward to cover even the victims of the after effects of the genocide like the victims of property confiscation by the Tutsi returnees from Burundi and Uganda. Those who were affiliated to the RPF either naively or out of sheer impunity thought that their membership was a guarantee to unfettered access to property which belonged to either those still in refuge or those who had returned.⁸⁵⁵ They literally took the law into their own hands. Justice was not supposed to cater for only the known victims of the genocide—the Tutsis. Even the Hutus who innocently suffered instances of revenge from the Tutsi deserved justice in all its post-conflict manifestations in Rwanda. It is as a result of those loopholes within the

⁸⁵⁴ See, Law No.2/1998 of 22 January 1998 establishing a national Assistance Fund for Needy Victims of Genocide and Massacres Committed in Rwanda between 1 October 1990 and 31 December 1994, National Legislative Bodies, February 1998, Ref: RWA-185.

⁸⁵⁵ Wm. Cyrus Reed, *The Rwanda Patriotic Front: Politics and Development in Rwanda*, A Journal of Opinion, Vol. 23, No.2, Rwanda (1995): 48-53, African Studies Association, <http://www.jstor.org/stable/1166507>:51.

body-justice that the Hutus started perceiving the nature of justice in Rwanda as generally a ``victors justice`` and the judiciary was perceived by the Hutus as predominantly Tutsi.⁸⁵⁶

Indeed it was reported that the RPF soldiers who were party to the massacres at Kibeho, Kanama, Muramba, and elsewhere were handed lighter convictions for just ``acts of indiscipline`` even when lives were lost. Also when Lt. Col. Ibiringira was convicted for his involvement in the Kibeho massacre, it was reported that he continued to execute his routine functions as a military officer.⁸⁵⁷ In all these instances justice was seen not be done, and this undermined Rwanda's journey to the reconciliation of the victors and vanquished, yet it was within the means of the victors to ensure reconciliation in all its complexities.

The situation was not helped by the alleged ``Tustification`` of the justice sector as a result of the suspension on 24th March, 1998 and subsequent dismissal of 6 Hutu Judges who were sitting on the Bench of the *Cour de Cassation* and the Council of State. This did not augur well for the future of justice in Rwanda as an avenue for reconciliation. Nepotism was identified even in the Judiciary that by 1998, of the four Presidents of the Courts of Appeal, three were said to be of Tutsi origin. Public executions threatened people and allegations of intimidation of witnesses were rife.⁸⁵⁸ The security of the individual continued to be under threat and some Human Rights advocates fled to exile. In 1998, Innocent Niyonagira and Augustine Bizirema; human rights advocates in post-genocide Rwanda, are reported to have fled to exile.

Abductions and disappearances of those who were suspected of being sympathetic to the Hutu rebels were not rare occurrences. Group punishments were visited onto

⁸⁵⁶ See, Johan Pottier, *Relief and Repatriation: Views by Rwandan Refugees; Lessons for Humanitarian Aid Workers*, African Affairs, Vol. 95, No. 380 (Jul., 1996): 403-429, Oxford University Press, <http://www.jstor.org/stable/723574>: 426.

⁸⁵⁷ Vandeginste, *Justice for Rwanda and International Cooperation*, 1997, 25.

⁸⁵⁸ Filip Reyntjens, *Talking or Fighting? Political Evolution in Rwanda and Burundi*, 1998-1999, Current African Issues No. 21, Nordiska Afrikainstitutet, 1999:5-7. Also see, Filip Reyntjens, *Rwanda, Ten Years on: From Genocide to Dictatorship*, African Affairs (2004), 103, 177-210, Royal African Society, 2004:187-203.

communities thought to be in support of the Hutu insurgents by way of mass killings,⁸⁵⁹ as it was reported in Remera were people from Nyakabanda district of Kigali where people who were perceived to be sympathetic to the rebels were put in containers and literally suffocated to death.⁸⁶⁰ All this served to undermine the credibility of even the reformed judicial sector and the legitimacy of the Rwandan Government among the people was affected. The provision of justice as a public good in Rwanda was punctuated with inherent flaws which were a reflection of the very conditions that set the stage for the violence which culminated into the genocide. Genocidal tendencies in Africa had been attributed to the loss of legitimacy by governments that engage ``The Narcissism of minor difference`` by visiting group punishment onto ``other`` groups in a bid to sustain their forceful imposition of their will onto all.⁸⁶¹

Another weakness in the legislations, particularly the Organic Law on genocide trials, was the absence of the provision for pro bono services for genocide offenders. This meant that poor offenders who could not procure the services of the then available 44 Rwandan Lawyers and 5 judicial officers had to defend themselves without professional legal advice. Indeed it is for that reason that many prisoners failed to understand the meaning of the ``Confession and Guilty Plea Procedure``. Data provided as of September 1997 indicated that 38% of defendants with lawyers had confessed in comparison to only 5% of those that had no professional legal representation.⁸⁶² Thanks to the assistance of Attorneys without Borders (*Avocats sans Frontieres*) from mainly Belgium and Western African countries, 48 percent of the defendants had legal representation for the period April-June 1997.⁸⁶³

⁸⁵⁹ See, Gerald Prunier, *Africa's World War: Congo, the Rwandan Genocide and the Making of a Continental Catastrophe* (Oxford: Oxford University Press). Also see, Filip Reyntjens, *Rwanda, Ten Years on: From Genocide to Dictatorship, African Affairs* (2004), 103, 177-210, Royal African Society, 2004:195.

⁸⁶⁰ Filip Reyntjens, *Talking or Fighting?* 1999, 22.

⁸⁶¹ For a detailed treatment of the concept of ``Narcissism of Minor Difference`` as a cause of genocidal tendencies, see, Jibrin Ibrahim, *The Narcissism of minor Difference and the Rise of Genocidal Tendencies in Africa: Lessons from Kampala and Burundi*, Paper for CODESRIA'S 8th General Assembly and Symposium on ``Crisis, Conflicts and Transformations: Responses and Perspectives``, Dakar, June 1995.

⁸⁶² See, Vandeginste, *Justice For Rwanda and International Cooperation*, 1997, 14-15.

⁸⁶³ *Ibid.*

Even with those glaring weakness in the body-judiciary of Rwanda, it should be added that the powers of the presidency were also central to the restoration of in Rwanda. For instance a Presidential Decree of January 2003 granted provisional release of 19,556 prisoners. These prisoners had come out of the Eastern Congo in 2003 and had been members of the ex-FAR, FDLR, FAC and the Mayi Mayi. More prisoners were released under the Presidential Pardon; 4,000 of those who were sick, and those who were between the ages of 14-18 during the genocide. Also in February 2003, approximately 25,000 prisoners were released in line with the Presidential Decree of February 2003.⁸⁶⁴

It should be underscored that whereas the government came up with the necessary legislation to enable the functioning of the judiciary, the international community was also central to addressing the operational challenges to the judiciary, which included, as earlier mentioned: Human resource, judicial skills and material resources. Whereas there was an array of actors in reconstruction of the sector; the table in appendix 1, though not exhaustive, provides the extent of international assistance to the judicial sector.

Also, in addition to the above, it is noted that the UNHCR provided training to policemen and prosecutors⁸⁶⁵ as a way of aiding the Rwanda justice and security sector as a move towards facilitating reconciliation which required the observance of justice. The reconstruction of the Judicial System of Rwanda was informed by the catastrophe of the genocide as a concomitant of the civil-war which ended in 1994.

The discussion of the institutional mechanism which Rwanda forged during it post-conflict reconstruction underscores the imperativeness of institutionalisation even when the general agenda for post-conflict reconstruction is focused on attaining a polity aligned to the liberal peace agenda with a focus on democratisation and a free market economy. What emerges out clearly is though the government of Rwanda was denied aid in the immediate aftermath of the genocide, when aid started flowing the focus was not directly on the implementation of a liberal agenda like organisation elections, but rather on building institutions to enable the operationalisation of a liberal peace framework. As

⁸⁶⁴ Editor's Desk, *Nothing to Fear in Rwanda*, Rwanda Returnee News, Bi-monthly newsletter of UNHCR-Rwanda, no.1, April 01-14-2004:1,

⁸⁶⁵ Refugee Magazine Issue 109 (1997 in Review)-Great Lakes.

much as aid was withheld by the international community as Rwanda was short of fulfilling the liberal conditionalities, so was the move towards higher levels of liberalism like dispensation of justice for judicial capacity was lacking. Institutionalisation enables a liberal agenda and without functioning government institutions a liberal agenda may appear a farfetched normality.

Accordingly, at this point, the study examines the meaning of the strides which Rwanda made in state capacity during its post-conflict reconstruction along the indicators of state capacity; extractive capacity, coercive and administrative capacity. The presentation and discussion is as follows:

4.1.3 Rwanda, Gains in State Capacity: A measurement.

The strides which Rwanda made during its post-genocide period were captured succinctly by Francis Deng when he remarked thus:

I have been back to Rwanda and the difference that the government has made during this period was absolutely striking. You saw a country that seems to be back to itself, a country that seems to be developing remarkably. Policies and laws that guarantee equal opportunities for men and women, accordingly to the International Federation of Red Cross and Red Crescent Societies, have resulted in Rwanda holding a world record of women parliamentarians—56.3 percent, just ahead of Sweden at 46.4 percent. Official records show that this year the economy should grow by 7 to 8 percent, up from 5.5 percent in 2009.⁸⁶⁶

It should be noted that as a result of the efforts which were undertaken in the rehabilitation of state capacity in Rwanda, indicators as regards the extractive, coercive and administrative capacity of the Rwandan Government were progressively incremental. It is said that by 1997 the Rwandan state was fully functional with local and national administrative structure fully operational. The educational system was restored, communal police trained and deployed, roads repaired and new ones built, telephone system fully functional and the tax collection apparatus fully in place with the courts functioning properly.⁸⁶⁷ However, this section seeks to answer the question: what was the nature of the gains which were made in the state capacities of Rwanda of Rwanda as a result of the reforms which were undertaken to reconstruct the enabling institutions of state capacity in post-conflict Rwanda? What is the meaning of these gains in the context of Rwanda's state capacity during post-conflict reconstruction?

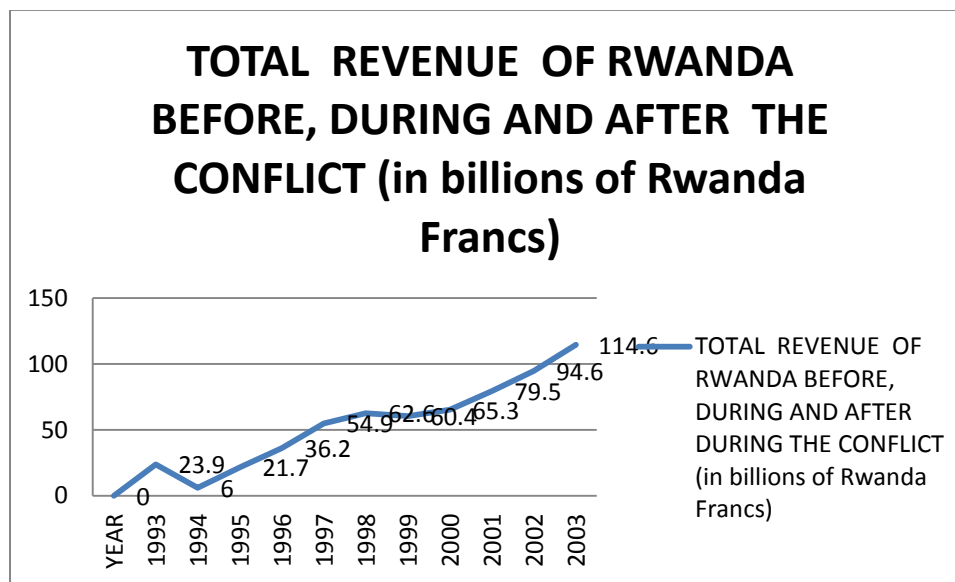
The treatment is as follows:

⁸⁶⁶ *MaximsNewsNetwork: 06 April 2010—UNTV: United Nations, New York—Interview with Francis Deng, United Nations (UN) Special Adviser on Genocide Prevention, <http://www.youtube.com/watch?v=gy5gDSrpuKU&list=PLF3AB2CE4577DA303&index=1>* .

⁸⁶⁷ Vandeginste, *Justice For Rwanda and International Cooperation*, 1997, 23.

As regards extractive capacity, the International Monetary Fund; Government Finance Statistics indicated progress. The economic indicators of Rwanda indicated progress thanks to the creation of the Rwanda Revenue Authorities and the reforms which were undertaken in the functioning of the National Bank of Rwanda. Accordingly there were a steady increase in the amount of refugee which was collected from; direct taxes, taxes on goods and services, taxes on international trade and non tax revenue. The graphical display of the outcome is as follows:

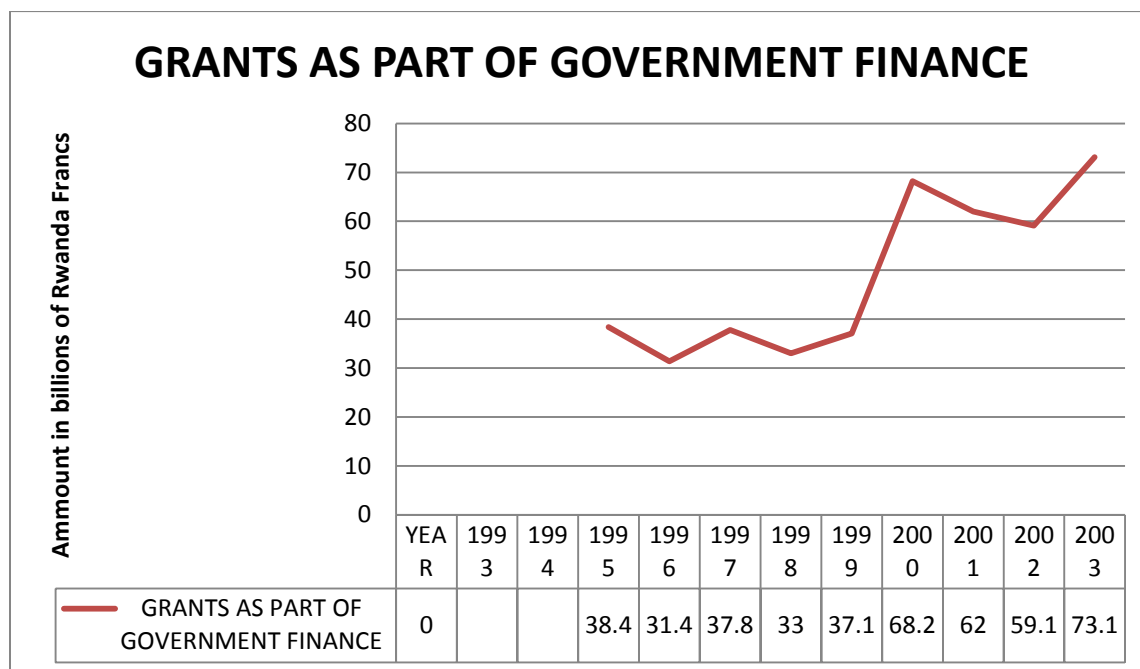
Graph 1



There was also steady increase in the amount of International Finance which was extending to Rwanda during its post-conflict period. The flow of particularly international finance is an indication of the progress which Rwanda consistently made as regards to adhering to conditions for access to international finance which included a clear framework for regular financial reporting. It should also be emphasised Rwanda's progress in putting in place institutions for increased political liberalisation as envisaged in its yielding to international demands of forging a ``broad based government`` and an attempt at putting in place measures and institutions for the observance of human rights and promotion of reconciliation, inadequate as they have been widely discussed, made the international community to progressively offer assistance to the Rwandan

governance. Graph No.2 depicts consolidated increased levels of international grants which were extending to Rwanda in an incremental manner. Grants as part of the revenue of the Government of Rwanda steadily increased as follows:

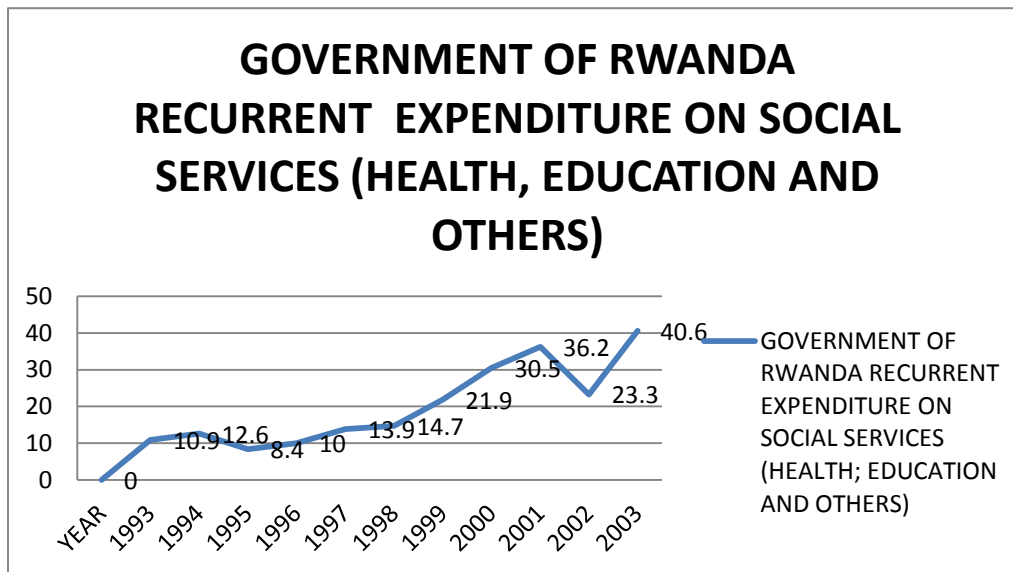
Graph No. 2



Data Source: International Monetary Fund, Rwanda: Statistical Appendix, IMF Staff Country Report No. 98/115, 1998:4. IMF, Rwanda: Statistical Annex, January 2001, IMF Country Report No. 01/30, 2001:3a. IMF, Rwanda: Selected Issues and Statistical Appendix, December 2004, IMF Country Report No. 04/383, 2004:6.

Resources were made available in order to increase the provision of government to its people; with increase in the provision of social services as depicted by the increase in state expenditure on social services as indicated in Graph No.3. If provision on the side of Government is an indicator of state capacity; then Rwanda made steady gains on that indicator as depicted in the increased expenditure on social services

Graph No. 3

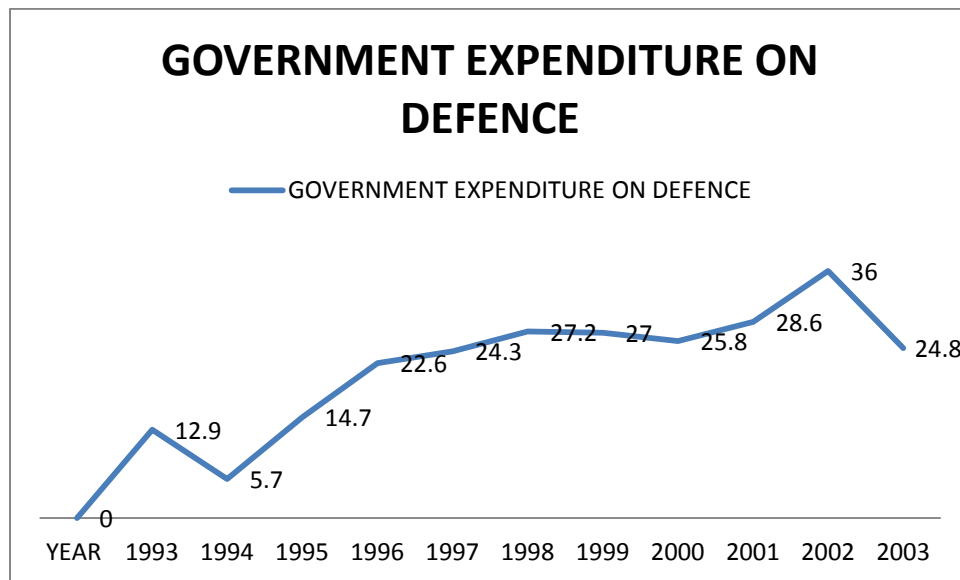


Data Source: International Monetary Fund, Rwanda: Statistical Appendix, IMF Staff Country Report No. 98/115, 1998:19. IMF, Rwanda: Statistical Annex, January 2001, IMF Country Report No. 01/30, 2000:17. IMF, Rwanda: Selected Issues and Statistical Appendix, December 2004, IMF Country Report No. 04/383, 2004:94. (The expenditure is indicated in Rwanda Francs).

The financial assistance, to supplement the revenue of government also meant additional resources for the execution of government functions like territorial security through increased military expenditure. Indeed the percentage of defense expenditure on GDP steadily increased; an indication that Rwanda was engaging in the development of its military capacity in preparation for existing and probable threats to its national security. The Uppsala Conflict Data Program: UCDP Dyadic Data Set V.-2013; indicate that between 1996 to 2002,⁸⁶⁸ Rwanda grappled with a conflict continuous situation as a result of the incursions of the *Armée pour la Libération du Rwanda (ALiR)* and later the *Forces démocratiques de libération du Rwanda.(FDLR)* The increased expenditure on the defence is illustrated as follows:

⁸⁶⁸ See, Themnér, Lotta and Peter Wallenstein, 2013. "Armed Conflict, 1946-2012." Journal of Peace Research 50(4).

Graph No.4

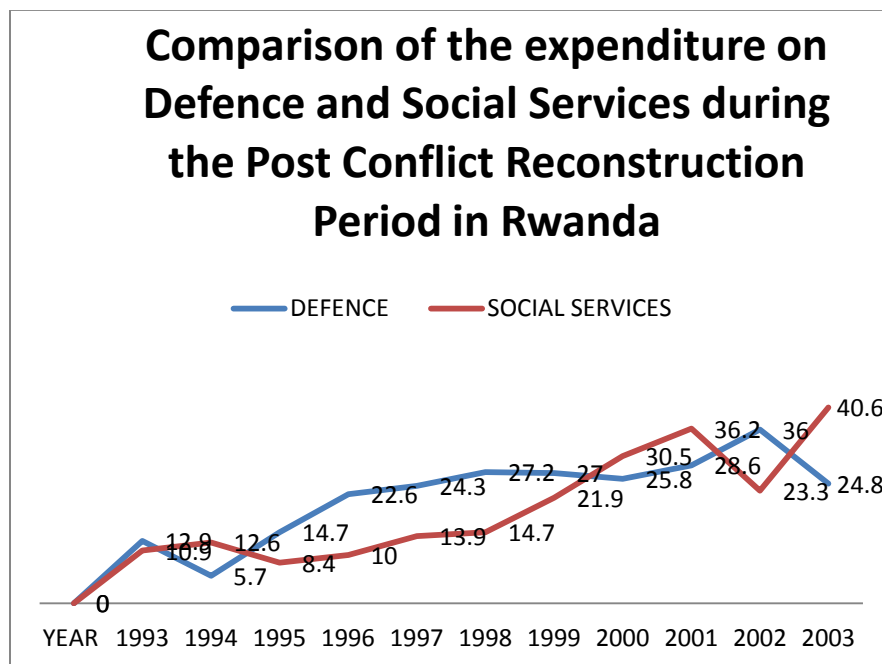


Data Source: International Monetary Fund, Rwanda: Statistical Appendix, IMF Staff Country Report No. 98/115, 1998. IMF, Rwanda: Statistical Annex, January 2001, IMF Country Report No. 01/30, 2000. IMF, Rwanda: Selected Issues and Statistical Appendix, December 2004, IMF Country Report No. 04/383, 2004. (The expenditure is indicated in Rwanda Francs).

However, the defense expenditure was high in comparison to the expenditure on social services, owing to the continued threat that the Hutu refugee warriors posed to Rwanda, an indication of defence expenditure can offset the provision of social services. Indeed even during the days of Habyarimana; as defence expenditure increased so was a decrease in the providence of social services by the government. Sometimes increased expenditure on defence, which concomitantly leads to build-ups in the military capacity of the state is perceived as a somewhat Alfa and omega when it comes to determining state capabilities, but as illustrated in Chapter 2 of this study, improvidence of human needs on the side of the Government of Rwanda during its pre-coloniality, coloniality, post-coloniality, and post-genocide, historical moments, saw the emergence of conflictual situations. High levels of state capacity in one indicator may be offset by low levels in other indicators of state capacity thus leading to conflictual situations yet state capacity is supposed to thwart conflicts. So during post-conflict reconstruction, the resurgence of

violence which threatened the new government as a result of the Hutu refugee warriors in Eastern Congo saw the expenditure on defence surpassing that on social services, and indication of how human security—which is guaranteed by the providence of human needs can be off-put by the demands of state security that is military capacity. Though military capacity is also important to human security, the fact in the concept of Rwanda it was oriented towards an existential threat to territorial security depicts a preoccupation with state security. The illustration is as follows:

Graph No. 5



Data Source: International Monetary Fund, Rwanda: Statistical Appendix, IMF Staff Country Report No. 98/115, 1998. IMF, Rwanda: Statistical Annex, January 2001, IMF Country Report No. 01/30, 2000. IMF, Rwanda: Selected Issues and Statistical Appendix, December 2004, IMF Country Report No. 04/383, 2004.

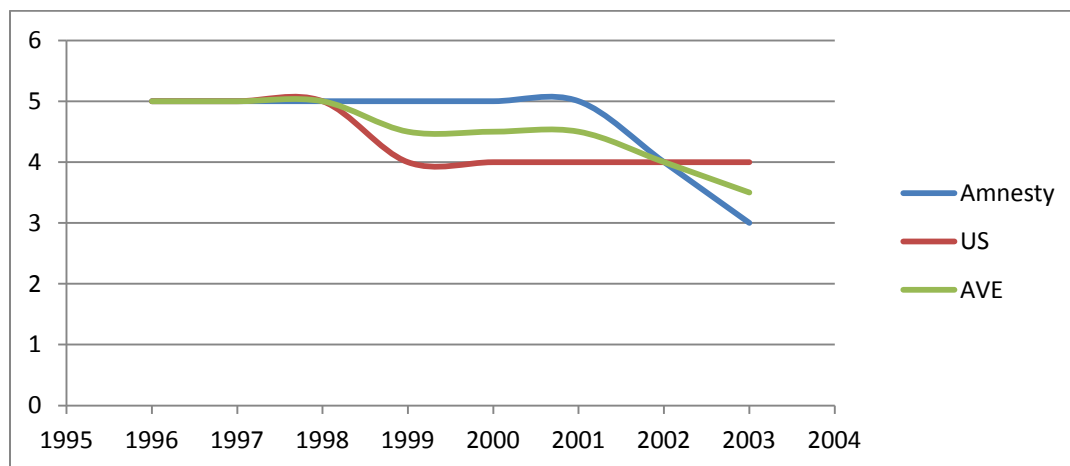
But as the threat was waning the expenditure on defence relatively went down and a move towards high levels of democratisation was manifest as Rwanda adopted its Post-Genocide Constitution in 2003. High levels of expenditure on defence reflect a fragile peace which undermines service provision and the move towards higher levels of

democratisation. The improvement in the security of the country facilitates increase in state expenditure on social services which are central to the human needs of the people and the abundance of human needs translate into increased human security.

The increased expenditure on defense led to increased coercive capacity and this concomitantly led to improvement in the indicators for internal violence as depicted by the World Governance Indicators on the aggregate of Political Stability and Absence of Violence.⁸⁶⁹

However, improvement in coercive power came with commensurate political terror unleashed on population though it continued waning as threats to internal and external security decreased. This point to the view that the more a state faces a resurgence of violence, the more political terror it unleashes on the population. Indeed, Rwanda went down on the political terror scale as more stability was being attained. More confidence was gained by the government as its legitimacy among the people was not only being sustained by a strong coercive capacity presence of the state but also the increased providence of the state. The illustration is as follows:

Graph 6: Rwanda on the Political Terror Scale



Data Source: Political Terror Scale (PTS), Rwanda, PTS Scores: 1996-2003.

<http://www.politicalterror scale.org/countries.php?region=Africa&country=Rwanda>

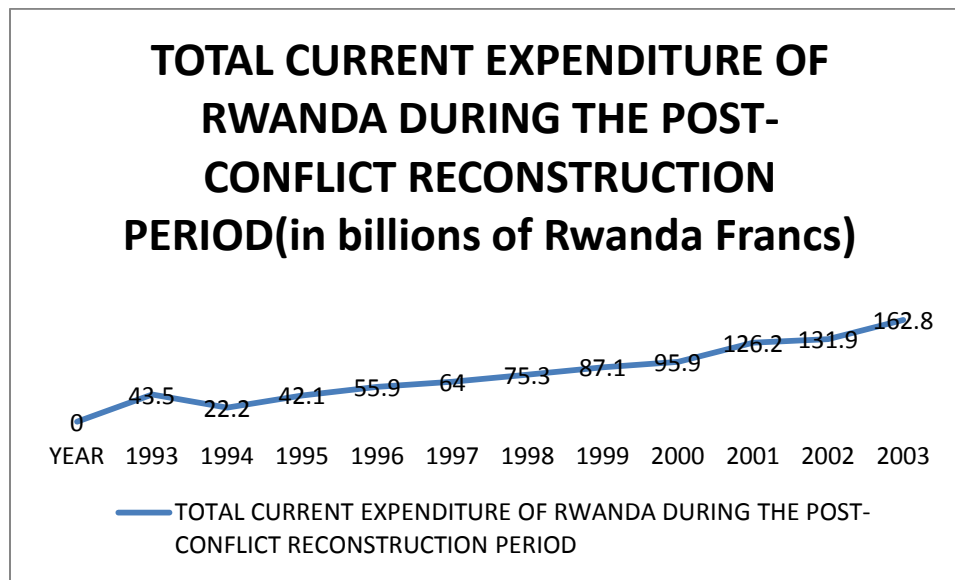
⁸⁶⁹ See, World Bank Institute, *World Governance Indicators: Rwanda, 1996-2012, Aggregate Indicator: Political Stability and Absence of Violence; Country Data Report for Rwanda, 1996-2012:3*, <http://www.info.worldbank.org/governance/wgi/index.aspx#CountryReports>

Though with an array of actors in the provision of social services, particularly the international humanitarian and relief agencies, also, the expenditure of government on as regards, provision of social services indicators went high and other indicators were positive. Internationally accolades were forthcoming to this effect; with Rwanda being presented as the epitome of commitment and reliability when it came to reconstruction state performance after conflict.

It emerges from the preceding analysis that enabling the ability of the government to spend, be it on infrastructural development, social service delivery, national security issues; is central to state capacity during post conflict reconstruction. Thus this study furthers that the ability of the state to spend is a central indicator of the extent of state capacity even in post conflict reconstruction situations. As such this study argues that the ability of the state/government to spend, regardless of the nature of the priority areas can be an appropriate indicator of the capacity of that government during post conflict reconstruction. The state in Rwanda progressively spent on an array of issue areas, including but not limited to: General Public Services, Defense, Social Services, Health, Economic Services, Agriculture, Mining and Manufacturing, Energy and Public Works, Transport and communications, Interest payment on Public debt.⁸⁷⁰ The expenditure of the Government of Rwanda steadily increased across its post conflict reconstruction phase as follows:

⁸⁷⁰ For a detailed illustration of the array of issues on which Rwanda's expenditure was directed to; see, International Monetary Fund, *Rwanda: Statistical Appendix*, IMF Staff Country Report No. 98/115, 1998:19. IMF, *Rwanda: Statistical Annex*, January 2001, IMF Country Report No. 01/30, 2000:17. IMF, *Rwanda: Selected Issues and Statistical Appendix*, December 2004, IMF Country Report No. 04/383, 2004:94.

Graph No. 7



Data Source: International Monetary Fund, Rwanda: Statistical Appendix, IMF Staff Country Report No. 98/115, 1998:19. IMF, Rwanda: Statistical Annex, January 2001, IMF Country Report No. 01/30, 2000:17. IMF, Rwanda: Selected Issues and Statistical Appendix, December 2004, IMF Country Report No. 04/383, 2004:94.

Going by the logic of the preceding analysis; the progress of the functionality of a government during post conflict reconstruction can be measured therefore as a function of its level of expenditure. Rwanda literally clamoured for foreign financial assistance in the quest for attaining a certain level of financial capacity to enable its expenditure.

Also, from the Rwandan experience, a furthering empirical case is made by this Chapter to the effect that liberalisation should be preceded by institutionalisation. The study also argues that instutionalisation ought not to be confused with a move towards statism, but rather as a move towards higher levels of government capability as institutions are forged for studied liberalisation. The Rwandan experience presents two extraordinary scenarios: one, that during its post-conflict reconstruction, the new government was fully aware that a move towards liberalisation was a necessary condition for accessing internationalised financial assistance and gaining political legitimacy. Economic liberal reforms were undertaken and consolidated. This is because a sound economy did not only guarantee access to international finance but also guaranteed improvement in the

capacity of the new government to thwart particularly the security threat from the Hutu refugee warriors.

However, democratic reforms, as the political strand of liberalisation were hesitantly undertaken, precisely for propagandist reasons; as the new regime was fearful that democratisation would undermine the move towards regime stability. The essayist, Arthur Koestler, teaches us that achievement may not be backed with modesty more so if is exploited by political propaganda and for the purpose of collecting funds. Rwanda democratisation process during its post-conflict reconstruction and the achievement made fits in those words. But all in all Rwanda made considerable progress in state capacity, and at this point the study problematises the gains which were made.

So, the question emerges: How did the delineated gains in state capacity address the Hutu refugee crisis in the Democratic Republic of Congo that threatened a resurgence of violence in Rwanda, and what does the outcome mean to the Human Security-State Security debate.

5 CHAPTER FIVE

5.1 Rwanda's development in State Capacity and addressing a convergence of Human and State Security at the causative level of the resurgence of violence: The manifestation of the ``boomerang effect`` during post-conflict reconstruction.

``In theory there is no difference between theory and practice, but in practice there is``

Albert Einstein

The central question that this chapter answers is as follows: How did the development in Rwanda's state capacity during post-conflict reconstruction serve to address the human security concerns that threatened and subsequently led to resurgence of violence? The interrogating specific questions which guided the analysis of either supporting or off-putting evidence on Rwanda as regards its state capacity were: In what ways did the Rwanda Government use its development in state capacity to address the resurgence of violence which accrued to the Hutu refugee crisis in Eastern Congo during its post-conflict reconstruction phase? And what are/were the implications of the security policy choices which were made to address the resurgence of violence on the debate concerning Human Security and State Security?

Cumulatively, this chapter adds onto the logic of the preceding chapters that can be summarised as follows: that inadequate state capacity leads to violence, and adequate state capacity can thwart the occurrence of violence. Further, that human security and state security related concerns converge to lead to a resurgence of violence during post-conflict reconstruction situations. That development in state capacity is central to curtailing a resurgence of violence during post conflict reconstruction.

As elucidated in Chapter three (3) of this study, human security challenges converged with state security concerns to lead to a resurgence of violence. This means that at the theoretical and conceptual level, during post conflict situations of the Rwandan kind, the two security areas communicated to each other; contrary to the assertion that they contradict each other. It also emerges quite clearly that Rwanda forged a considerable

level of state capacity, manifested in the widely acknowledged institutional development attained during its post-conflict reconstruction.

However, at this point, using supporting empirical evidence from data sets on the Rwandan Refugee Crisis; the study examines how the Rwandan Government addressed the Hutu refugee crisis in the Eastern part of the Democratic Republic of Congo, which was Congo then.

But at the theory level, it emerges clearly from the Rwandan experience that the contradiction between the two contending security areas, that is, Human and State Security, accrues to the policy choices made to address the threats which emerge as a result of the communication between these two security areas during post-conflict situations to lead to a resurgence of violence in post-conflict reconstruction situations.

So whereas the two security areas converge at the conceptual level; at the policy implementation level, in the context of post conflict reconstruction, the communication between the two security areas is generally problematic, owing to the circumstantial challenges that punctuate the reconstruction period; particularly the refugee-warrior phenomenon. This means that whereas at analytical level, the so called ``security dialectic`` is positive, at the security policy making and implementation, in the context of post-conflict reconstruction of the Rwandan nature, the ``security dialectic`` is negative, and the ``boomerang effect``⁸⁷¹ become the outcome of the security policy choices made. As the focus is put on state security, human security is encumbered and vice versa. As such the tension between human security and state security during post conflict reconstruction situations becomes more of a problem of policy implementation than a theoretical jigsaw puzzle.

⁸⁷¹ Explaining the ``boomerang effect``, P.H. Liotta in his article: *Boomerang Effect: the convergence of National and Human Security*, 2002, 1-12, outlines that where policy makers and analysts erroneously focus excessively on one aspect of security, either national or human security, a situation which might lead to ``a poor balancing of ends and means in changing security environment`` thus seeing insecurity emerging from the neglected security area. His argument is that the two security areas ought not to be seen as conflictual but rather complementary. The logic of the ``boomerang effect`` resonates well with the logic of the ``security dialectic`` concept of Kerr. The study, particularly in chapter, 3 and 5 obtains from the logic of the two security concepts.

5.1.1 The nature of the problem, The International failed Human Security, ``what about the Canadian approach and the politics of what is in it for me? ``

The international community was demanding that the New Government in Rwanda puts in place an environment favourable for the return of refugees, but Rwanda had no resources to cater for them in terms of provision of social services and thwarting the security concerns that might have accrued from their return. Indeed when Pasteur Bizimungu, the first President of post-genocide, met with Germany Foreign Minister, Kinkel on September 19th 1994, he requested Germany to: ``play a path-breaking role among donors by establishing a type of marshal plan for Rwanda``, so that Rwanda could be in position to facilitate for the return of refugees; a request to which the Germany Secretary for economic development and cooperation, Hans-Peter Replik reacted to during his meeting with Bizimungu; declaring that Germany was ready to release the approximately DM 70-90 million that had been frozen at the beginning of the Rwandan war.⁸⁷² As such, with a dearth of resource constraints; the new Government of Rwanda was hesitant to allow the massive return of refugees who had been infiltrated with belligerents. Indeed, at the UNDP Round Table of January 1995 in Geneva, Prime Minister Twagiramungu informed the delegates that: ``we want the refugees to come back home but we must create conditions to receive them``.⁸⁷³ Clearly, to the Rwandan authorities, the massive return of refugees would place onto the Government of Rwanda human security demands; as it had to provide for the basic needs of refugees like food and shelter. It was also to place onto the new government state security demands; as it had to ward-off the incursions by the militants who would have used the return as an opportunity wage their incursions from inside. However, at the same time, the new government was cognizant of the danger of having large populations of Rwandan refugees in the Congo.⁸⁷⁴

It should be remembered that the RPF was an outcome of the long stay of the Tutsi refugees in countries like Uganda. So, time came when the government felt that having the refugees return to Rwanda would allow it the opportunity to pre-empt future

⁸⁷² 165323.

⁸⁷³ 165651.

⁸⁷⁴ 165553, 165554.

incursions, and probably deal decisively with the internal violence that was and actually accrued to the return of the Hutu refugees. As such, the government of Rwanda diplomatically procrastinated the return of refugees, but the strategy was not to have them return, but rather to literally buy time to build the capacity of the Rwandan state to cater for the needs of the returnees, but most importantly to be in position to ward-off the security threat which was anticipated to out of their return.

Indeed, dealing with the Interahamwe had been a top priority on the agenda of the post-genocide Rwandan government as early as October 1994; as indicated by the Ngarukiye during his maiden meeting with the United States Government officials in his capacity as the Permanent Representative of Rwanda to the United Nations.⁸⁷⁵ It is no surprise therefore that when the government of Rwanda gained a semblance of internal control by 1996, it moved to implement its strategy of having refugees return from Congo. The capacity had been attained to receive them if they voluntarily repatriated, but also capacity was available to militarily enforce their return. This discourse about Rwanda fits well into the framework of Alex Braithwaite on the imperativeness of state capacity in warding-off internal and external challenges to the security of the state. His thesis is that the steady progress of the state along the Theda Skocpol factors of a capable state, namely: sovereign authority, financial resources, loyal and skilled officials, stable administrative military control and authority and institutional mechanisms to employ resources; is central to the capacity of the state to:

“...block and/or peacefully absorb the artifacts of civil conflict that threaten to spill across international boundaries (and) these include flows of refugees of war, weapons and illicit material smuggled across borders and the physical actions of the war itself”.⁸⁷⁶

The logic of Braithwaite suffice to indicate why Rwanda despite the initial International pressure for it to allow and facilitate the return of refugees from Eastern Congo; the

⁸⁷⁵ 165306.

⁸⁷⁶ Alex Braithwaite, *Resisting Infection: How State Capacity Conditions Conflict Contagion*, Journal of Peace Research, Vol. 47, No.3, Special Issue on State Capacity and Civil War (May 2010), pp. 311-319, Sage Publications, Ltd., <http://www.jstor.org/stable/20752165>; 313, accessed: 05/02/2014 12:17

Rwandan authorities adamantly refused the quick return of the Hutu refugees but to forcefully execute the return from late 1996.

Clearly, as indicated in the chapter preceding this; Rwanda had gained a considerable measure of state capacity if we are to go by the institutionalisation gains that had been made just in the first two years of its post-conflict phase. Indeed, friends and foes acknowledged the milestones which Rwanda had made in quickest span though. Reyntjens did not mince words in his glaring criticism of the post-genocide Rwandan government human rights record, but to acknowledge the progress which had been made towards institutionalisation in Rwanda that:

(...) Continuity if visible (was) not just in exercise of power, but also in the nature of the state. An ancient state tradition plays an undeniable role here: a mere two years after the extreme human and material destruction of 1994, the state has been rebuilt. Rwanda was again administered from top to bottom, territorial, military and security structures were in place, the judicial system was re-established; tax revenues were collected and spent. The regime was able in a short time to establish total control over the state and society.... While many countries tend towards state collapse, the Rwandan state has reaffirmed itself vigorously⁸⁷⁷

Certainly as indicated in the chapter preceding this, Rwanda's expenditure steadily increased in the years after the genocide, and the percentage expenditure of GDP on defence increased steadily, and from the same treatment it was determined that expenditure can be an appropriate indicator of state capacity. That logic rhymes well with the logic of Stein Sundstol Eriksen who presented Rwanda's military strength in terms of military expenditure by quoting SIPRI 2003 yearbook which indicated that for 10 years Rwanda military expenditure averaged between 4% and 5% of the GDP.⁸⁷⁸ However, contrary to his assertion that defence expenditure of Rwanda did not increase substantially during the war, a review of the time series data provided by the International

⁸⁷⁷ See, Filip Reyntjens, Rwanda, *Ten Years on: From Genocide to Dictatorship*, Africa Affairs, Vol. 103, No. 411 (Apr.,2004), pp.177-210, Oxford University Press, <http://www.jstor.org/stable/3518608>: 209, accessed: 05/02/2014 12:40

⁸⁷⁸ Stein Sundstol Eriksen, *The Congo War and the Prospects for State Formation: Rwanda and Uganda compared*, The Third World Quarterly, Vol. 26, No. 7 (2005), pp.1097-1113, Taylor & Francis Ltd, <http://www.jstor.org/stable/4017806>, accessed: 05/02/2014 13:17

Monetary Fund indicated that actually expenditure on defence steadily increased during the years of particularly the first Congo War which was directed at annihilating the Hutu refugee warrior threat. The expenditure on defence increased from 14.7 billion Rwanda Francs in 1995, to 22.6 in 1996, 24.3 in 1997 and then literally skyrocketed to 27.2 at the beginning of the Second Congo War; reaching 36 billion Rwanda Francs in 2002 at the semblance of the end of the Second Congo War.⁸⁷⁹

Accordingly, Rwanda's military expenditure indicated the readiness of its state capacity to thwart both internalised and internationalised security threats, or a convergence of the two security threat areas as manifested in the Hutu refugee warriors who were waging incursions into Rwanda. It has also been concluded that Rwanda's military exploits in the Congo; particularly the first Congo war which culminated into the overthrow of Mobutu depicted Rwanda as a state with formidable military capacity for it did not only manage to destroy the Hutu refugee militarised camps but it also managed to preside over the overthrow of Mobutu, albeit at a heavy human cost.⁸⁸⁰

It should be underscored that the international pressure on Rwanda was high; demanding that Rwanda put in place a political environment congenial for the return of refugees; if it was to access foreign assistance for its reconstruction. Indeed, as early as August 1994 the pressure on Rwanda to undertake reforms which would facilitate the return of refugees had already gained currency. For instance, George Moose, the then (1994) Assistant Secretary of State in Charge of African Affairs, in his confidential letter of August 17th 1994 to the Secretary of State of the United States; he did not hide his conviction that the USA need:

⁸⁷⁹ Data Source: International Monetary Fund, *Rwanda: Statistical Appendix*, IMF Staff Country Report No. 98/115, 1998. IMF, *Rwanda: Statistical Annex*, January 2001, IMF Country Report No. 01/30, 2000. IMF, *Rwanda: Selected Issues and Statistical Appendix*, December 2004, IMF Country Report No. 04/383, 2004

⁸⁸⁰ Stein Sundstol Eriksen, *The Congo War and the Prospects for State Formation*, 2005. Also discussed, albeit slightly by Filip Reyntjens, *Talking or Fighting? Political Evolution in Rwanda and Burundi*, 1998-1999, Current African Issues No. 21, Nordiska Afrikainstitutet 1999, ISSN 0280-2171.

...to continue pressing the Rwandan government to create conditions that will encourage refugee return, including broadening of the government's political/ethnic base and respecting human rights.⁸⁸¹

Also, when President Pasteur Bizimungu, the then President of Rwanda met Anthony Lake, the then USA National Security advisor to President Clinton, and tabled the requests for financial assistance to facilitate the new government to function normally, it was put to him that the USA was willing to assist but would be interested in seeing Rwanda taking firm efforts to ensure observance of human rights, putting in place a broad based government and dialoguing with the Hutu leaders in control of the refugee camps in Zaire.⁸⁸² Even when the Minister of Rehabilitation, Bihozagara, meet with the USA official, Staffdel Peel in September 1994, despite Bihozagara illustration that in Rwanda it was: ``Tout est a Faire``--``everything needs doing``; it was put to him that donors were only willing to release assistance to the Rwandan government if it took actions to ensure observance of human rights, return of refugees and management practices.⁸⁸³ Almost the same ``benchmarks`` were again put to President Bizimungu when he met the Deputy Secretary of State of the United state, Talbott in October 1994.⁸⁸⁴ Also in preparation for a meeting between a United States officer, Charge, Robert Whitehead and two Rwandan Patriotic Front Senior Officers; Karemera and Inyumba, the Director of the Office of Central African Affairs, Arlene Render sent to Whitehead captured the additional points issues which had to be put to the duo. One those issues were the issue of the steps taken by the government of Rwanda to ensure the return of refugees.⁸⁸⁵ And during the preparation for the meeting of Kagame with the then Assistant Secretary of State for African Affairs, George Moose, which was scheduled for December 13, 1994, Arlene Render sent to Moose on December 9, 1994; a document on the possible : ``talking points``; in which it was clearly indicated that if Kagame advances a request for USA assistance in the lifting of the UN Arm Embargo, and for the \$ 2.5 million to help Rwanda to repay its arrears to the World Bank in order for it to access the reconstruction fund, several issues had to be put to him particularly that of Hutu

⁸⁸¹ 165135.

⁸⁸² 165242.

⁸⁸³ 165340.

⁸⁸⁴ 165246.

⁸⁸⁵ 165541.

refugee repatriation.⁸⁸⁶ However, these scenarios pass for ``diplomatic arm-twisting`` for USA knew the challenges which the new government was facing.

Indeed, as early as August 1994 the US Government was cognizant of the security challenges which the prompt return of refugees would have posed to the security of the new RPF government as it would have heightened the internal disorder that was not unusual in Rwanda at that point in time.⁸⁸⁷ The US Government was also aware of the fact that the return of refugees was not solely dependent on the security situation inside Rwanda, but rather also on the will of the Hutu leaders in the camps who were holding the civilian refugees hostage. To that effect, a cable of August 1994; sent from the USA mission in Geneva to ten USA mission including: Kinshasa, Kampala, Nairobi, Bujumbura, Dar es Salaam, Addis Ababa, Paris, London, Brussels, and Rome, partly read as follows:

The problems of Rwanda will continue, and we should deceive ourselves into thinking that repatriation of the two million (?) refugees will take place quickly; we caution about raising public expectations in the US.⁸⁸⁸

Meanwhile Rwanda was increasingly getting frustrated by the west hobnobbing with the issues of integrating the members of the former genocidal regime into the new government. But the new Government was resolute in its refusal not to negotiate with the former Rwanda government leaders who presided over the genocide. The Rwanda Government had a list of 220 ``ring leaders`` who had to be punished for the genocide crimes they were party to.⁸⁸⁹ This stance which was adopted by the Rwandan government towards the members of the former regime ruled out the so called ``Belgian plan`` -- where the government of Rwanda had to enter into negotiations with the ex-FAR and the members of the former government who were hiding in Zaire.⁸⁹⁰

However, the new Rwandan government had a semblance of a broad outlook; comprising of the Hutus, and indeed the first Prime Minister of the Post-genocide Rwanda was a

⁸⁸⁶ 166125.

⁸⁸⁷ 168835.

⁸⁸⁸ 168837.

⁸⁸⁹ 165558.

⁸⁹⁰ 165565.

Hutu; Faustin Twagiramungu. It is Twagiramungu who did not hide his disappointment during his meeting with Prudence Bushnell in 1994, the then Assistant Secretary of State of the United States. When confronted with the question of how far Rwanda had moved with the question of integrating the members of the former regime as part of the ``benchmarks`` which the USA had given to Rwanda if it was to access financial assistance; Twagiramungu bitterly asked: ``what more did the Western nations want?``⁸⁹¹ Also when the same ``benchmarks`` were put to him in December 1994 by Peter Tarnoff, the then Undersecretary of State for Political Affairs in the government of Clinton, Twagiramungu responding to questions raised on the issues of refugees, he sternly noted that; they were outside the jurisdiction of the Government of Rwanda, and thus asserted that it is the responsibility of the receiving state to maintain security in the camps. He added that if the receiving state lack capacity to manage the refugees, the international community had to come in and assist. He emphasised that camps had to be demilitarised through the separation of militias from the genuine refugees, and to him the former leaders had to be: ``Told to behave``.⁸⁹²

Despite what this study particularly refers to as ``diplomatic arm-twisting``, the reality of Rwanda was known to the United States for when the Assistant Secretary of State Moose met with his French and Belgian counterparts on 30th September, 1994 it was reported that:

``Moose underlined the destitution of the Kigali Government, and noted that creating conditions for a return of the refugees would be impossible in the absence of basic structures of government and a judicial system.``⁸⁹³

However, given the known intransigence of the Kigali regime at that time (as partly reflected in coarseness of Prime Minister Twagiramungu) no amount of diplomatic pressure would have forced it to allow a massive return of refugees had it not weighed its capacity to contain the negative outcomes. Also, during the meeting of December 13, 1994 of Kagame (then Minister of Defence and Vice President) with George Moose, the then United States Assistant Secretary of State for African Affairs and Prudence

⁸⁹¹ 165315.

⁸⁹² 165534. Also see, 165536.

⁸⁹³ 165299.

Bushnell, the then Deputy Assistant Secretary of State for African Affairs, Kagame, when asked about the extent to which Rwanda had moved in its facilitation for the return of refugees, he was blunt saying that first things should be dealt with first when it came to issues of refugees. His formula was simple and he challenged the international community to: take control of the camps away from the ex-FAR and militias and separate them from the refugees; with intimidation ended, those who wished to return to Rwanda were free to do so. To Kagame the International community also had to separate, identify and deal with those few who had to be brought to justice; and that once the main evil doers were identified and brought to justice, then, his government was to consider what to do about the peasants and other little guys who were forced or incited to kill.⁸⁹⁴

So with such a firm stance, it was highly improbable that the Rwandan Government would have accepted an impromptu return of refugees had it not been for the considerable level of state capacity which it had attained by 1996. The new Government had strategically weighed its security fears as early as July 1994; for it was reported that the RPF leaders were apprehensive of any move which would have led to random refugee repatriation which was most likely to spark a guerrilla war particularly in North West Rwanda⁸⁹⁵. Indeed, Kagame had earlier in December, 1994; informed the Security Council that the Government of Rwanda wanted refugees to return, but was still soliciting for the means to facilitate their return and resettlement.⁸⁹⁶ When the means became available; the Rwandan government was prepared to have them repatriated at all costs for they knew the danger of having large Rwandan refugee populations in the neighbourhood.

Accordingly, the Kigali government was able to contain an insurgency which was a concomitant of the 1996-1997 attack on refugee camps in Eastern Zaire; that took place in the North West prefectures of Rwanda as a result of the infiltration of the refugee warriors (the ex-FAR and Interahamwe) among the massive groups of returnees. This seems to justify the earlier reported reservations which the new Rwandan Government had as far as random repatriation of refugees was concerned. A rebellion under the

⁸⁹⁴ 166107.

⁸⁹⁵ 168773.

⁸⁹⁶ 166109.

umbrella organisation of Rwanda Liberation Army (ALIR) destabilised the interior of Rwanda as it affected areas of Gisenyi, Ruhengeri, and north of Kibuye, Gitarama, rural Kigali and the west of Byumba; displacing more than 100,000 people.

Led by Hutu Colonels; Mugemanyi, Rwarakabiye and Nkundiye, the insurgents also embarked on a propaganda campaign with a newspaper, *Umucengezi*—‘‘The Saviour’’, but to be disabled by the military strength of the RPA that saw the death of Colonel Nkundiye with his 200 fighters at the battle of Giciye and later Colonel Mugemanyi was reportedly killed in Nyarutovu in August 1998.⁸⁹⁷ Although the insurgency was lethal as it destabilised areas of Gisenyi and Ruhengeri prefectures. Indeed by late 1997, the insurgents had been defeated.⁸⁹⁸ By the end of 1998 the whole territory of Rwanda had been generally pacified from internalised state security threats,⁸⁹⁹ but at a great human security cost for many unarmed civilians were killed in the course of the war; partly as collateral damage and some were just persecuted by the RPA forces which thought that they were allied to the rebels, and others were killed by the Hutu militias who thought that they had been compromised by the RPA forces. Many also died of disease and starvation. The study does not delve into the predicament of refugees that returned for theirs had it complexities that require a detailed treatment than what this contextualised study can offer.⁹⁰⁰

The change of the mind of the RPA to embark on addressing the Hutu refugee phenomenon in Eastern Congo was also informed by the very history of the RPA; that refugee populations can be a perennial security threat. The RPA emerged from the Tutsi refugee communities particularly in Uganda, and the circumstances under which the RPA emerged were briefly as follows: That the Rwanda Patriotic Army, that waged the war against the Government of Habyarimana in the 1990s, a war that culminated into the genocide, comprised of the Tutsi refugees who left Rwanda in the 1950s and 1960s

⁸⁹⁷ See, Reyntjens, *Talking or Fighting?*, 1999.

⁸⁹⁸ See, John Prendergast and David Smock, *Post-Genocidal Reconstruction: Building Peace in Rwanda and Burundi*, United States Institute of Peace, Special Report, September, 1999.

⁸⁹⁹ See, Stein Sundstol Eriksen, *The Congo War and the Prospects for State Formation* 2005.

⁹⁰⁰ Amnesty International, *Rwanda, The Hidden Violence: ‘‘disappearances’’ and killings Continue*, AI Index: AFR 47/23/98; gives a detailed treatment of the nature of abuses to which the returnees and the Rwandans who were inhabiting the North Western part of Rwanda suffered as a result of the civil-war which was a concomitant of the massive return of refugees from Congo among whom were the Hutu militias.

following the ethnic persecution of Tutsi that was a concomitant of the 1959 Hutu Revolution that led to the overthrow of the Tutsi monarch. It is a section of this ``first case load of refugees`` most especially those who were in Uganda that mobilised other Tutsi compatriots from near and afar areas like Burundi, Zaire, Tanzania and Kenya among other countries; to join arms in the quest for a return home, after all Habyarimana had consistently resisted their return saying that Rwanda was small as he sarcastically stated one time that: ‘if the glass of water is full; where can I put the rest of the water?’⁹⁰¹

Indeed, it should be recalled that the war which the Tutsi waged in the 1990s was first led by Fred Rwigyema and upon his death he was succeeded by Paul Kagame. Emphasis should also be made that majority of the original officers and men of the Rwanda Patriotic Front were part of the National Resistance Movement of Yoweri Museveni; which waged a five year protracted guerrilla movement which ousted the so called military junta government of Tito Okello and Basilio Okelo in Uganda. It is reported that of the 16,000 fighters of the NRA of Museveni, half were Banyarwanda migrants. It is a fact that Fred Rwigyema was the first Deputy Minister of Defence in Museveni’s government which was formed in 1986 immediately after the war, and Kagame was a Senior Military Intelligence Officer in the same government. So the Kigali Government; with Kagame at its helm, though the first president in post-genocide Rwanda was Pasteur Bizimungu, it of Kagame that it has been variously said; that he, at that point of time, wielded a lot of power to make decisions, and he knew the danger of having Hutu refugee populations in the jungles of Zaire for so long.⁹⁰²

⁹⁰¹ Quoted by Col Alex Kanyarengwe, then Chairman of the Rwanda Patriotic Front, in, Report by the Pan African Movement (PAM) Delegation, Fact-Finding Mission to Rwanda, 5th -8th June 1994:17.

⁹⁰² C.f., Mamdani, *Where Victims Become Killers*, 2007; Prunier, *The Rwandan Crisis*, 1995; Kamukama, *Rwanda Conflict*, 1997; Mushemeza, *The Politics and Empowerment*, 2007; Jason W. Clay, *The Eviction of Banyarwanda: The Story behind the Refugee Crisis in Southwest Uganda*, August 1984, Cultural Survival 11 Divinity Avenue, Cambridge, MA 02138; 617-495-2562; Odonga, *Rwanda and Uganda*, 1995, Arusha, Tanzania; Jibrin Ibrahim, *The Narcissism of Minor Difference and the Rise of Genocidal Tendencies in Africa: Lessons from Rwanda and Burundi*, Academic Freedom, Social Research and Conflict Resolution in the Countries of The Great Lakes, Council for the Development of Social Science Research in Africa, 4-7 September 1995, Arusha, Tanzania; Gasarase, *The Rwandan Conflict*, 1995; Mahmood Mamdani, *From Conquest to Consent as the Basis of State Formation, :Reflections on Rwanda* (London, New Left Review Ltd, 1996), 216.

Noteworthy, the refugee warriors had already started their violent incursions into Rwanda; a matter that warranted a pre-emption strategy if Rwanda's national security was to be guaranteed. The refugee warriors from Zaire who were using the refugee camps for recruitment to replenish their ranks had to be dealt with in a more decisive manner, and for that matter, as early as 5th October 1994, General Romeo Dallaire, the former commander of the UNAMIR in Rwanda, warned that Hutu militias were preparing for spirited offensives using the tactic of ``cross-border raids`` which was to become a ``broad based`` military operation after mobilising for enough support.⁹⁰³ So, to Rwanda the logic was to: have the refugees returning home first; deny the refugee warriors recruits, and second; deny international community at least one reason for not extending aid to Rwanda.

The act of denying Rwanda substantial amounts of aid can be understood using the metaphysical lenses of the international framework that the liberal democratic governments of the west normally adopt as part of the strategy to have refugees returning to their country of origin. The logic entails influencing the internal political conditions of the country of origin to normalise the conditions leading to the flight of people and to facilitate the return of those who fled.⁹⁰⁴ As such the Government of Rwanda was determined to have the refugees return, but the bonafide refugees were held hostage by the refugee warriors. As noted earlier in Chapter three; the refugee warriors struggled to maintain a firm grip onto the refugees for many reasons, but most importantly as a way of legitimising their activities.

Whereas international law provides that the responsibility to protect and pacify refugees lies with the host government,⁹⁰⁵ the host state, which was Zaire in the context of this study, was weak and unwilling to address the issue of the refugee –held- hostage

⁹⁰³ 165305.

⁹⁰⁴ See, Myron Weiner, *Bad Neighbours, Bad neighbourhood: An Inquiry into the causes of Refugee Flows*, International Security, Vol.21, No.1 (Summer, 1996), pp. 5-42, The MIT Press, <http://www.jstor.org/stable/2539107>, accessed: 05/02/2014 13:05.

⁹⁰⁵ See, The Organisation of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa, 1969, art.3 which provides that: Signatory states undertake to prohibit refugees residing in their respective territories from attacking any member state of the OAU``. And the United Nations Security Council Resolution 1265, adopted September 17 1999, UN Docs/RES/1265(1999) reaffirmed that: The primary responsibility of states to ensure (refugee) protection, in particular by maintaining the security and civilian character of refugee and internally displaced persons camps.``

phenomenon. The International Community was also under the illusion that Zaire would handle, albeit with international assistance, the refugee crisis.⁹⁰⁶ Zaire instead facilitated, as it was noted in Chapter three, the activities of the refugee warriors. The Mobutu regime was also loyal to its friendship with its former allies; the former leaders of the genocide Rwandan regime.⁹⁰⁷ In early 1995, Mobutu's government reinforced the armament of the Hutu refugee warriors (ex-FAR and the interahamwe) a matter which is said to have prompted the United Nations Security Council to lift the arms embargo on Rwanda on 16th August 1995;⁹⁰⁸ thus setting a stage for the military incursions of Rwanda into the Congo in her quest to dismantle the militarised camps. Indeed, Kagame, the then Defence Minister and Vice President of Rwanda, had as earlier as January 1995 requested for the lifting of the United Nations Arms embargo. This was as a result of the fact the International Community, particularly the United States wanted to use it as a leverage, a somewhat bait, to push for their agenda for reconstruction; which entailed reconciliation between the government of Rwanda and the leaders of the former interim Rwandan government/genocide regime in Rwanda.⁹⁰⁹

It was also in the interest of Mobutu's international relations to have the refugees within his sphere of control for it gave him the international clout that had for long withered. It should be remembered that in the 1990s, Mobutu's political relevance had waned so much so that the French, his erstwhile allies, denied him a visa to Paris. It was only in mid 1995, when Mobutu realised that his continued friendly gestures to the Hutu militants were becoming detrimental to his regime security; that he fidgeted to enforce the repatriation of the Rwandan refugees. To that effect, at the fall of 1996, the Foreign Minister in the then Mobutu's government, Kititwa Tumansi, informed the United Nations General Assembly that, ``Zaire (was) always prepared to cooperate with Rwanda and Burundi to ensure the voluntary and dignified return of refugees. `` And that, ``Zaire (would) never accept the defacto transformation of its territory to a Hutu-land, (and) those who (were) thinking of that should forget it`` He added that, ``Zaire does not accept

⁹⁰⁶ 166083.

⁹⁰⁷ See, Micheal Deibert, *Congo: Between Hope and Despair*, World Policy Journal 2008 25:63, DOI:10.1162/wopj.2008.25.2.63, <http://www.wpi.sagepub.com/content/25/2/63>, citation.

⁹⁰⁸ See, Shaharyan M. Khan, *The Shallow Graves of Rwanda*, London and New York, I.B.Tauris, 2001, xi, 228pp, ISBN 1-86064-616-6, citing the account of the British Journalist, Brian Johnson-Thomas revealing the armament of the Hutu refugee warriors by Zaire and surprisingly but allegedly Israel.

⁹⁰⁹ 166085.

and (would) never again accept to serve as a scapegoat for any one (and) will defend by all means the security of its population and its borders.’’⁹¹⁰ The rhetoric would not be believed and reflected a rather belated realisation on the side of the Zaire government that refugees did not only pose a security threat to their country of origin but also to their host country.

Also, the move of Mobutu’s government to repatriate refugees was inundated with a lot of criticism from the humanitarian agencies particularly *Medicins San Frontiers* that reasoned that the conditions in Rwanda would not favour return; for vengeance and persecution of the Hutu coupled with a weak judicial system were characteristic of post conflict Rwanda.⁹¹¹ Mobutu’s regime was undermined by the security concerns that come with a persisting refugee presence and the militarisation of refugee camps.⁹¹² But little could he extricate himself easily from the complexity of the situation. The military capacity of the armed forces of Mobutu could not easily disarm the battled hardened Hutu warriors who were politically well organised to a semblance of a ‘‘state-in-exile’’⁹¹³; a terminology that is not far from how the first Prime Minister Twagiramungu of Post-genocide Rwanda referred to the Hutu refugee camps tendency in Zaire as ‘‘mini states’’.⁹¹⁴

Indeed, apart from being indiscipline, which was partly exhibited in the looting spree of camps by the Zairian forces particularly on the weekend of November 25-27, 1994;⁹¹⁵ the Zairian army was also not motivated to function for they even had grievances over salary payments.⁹¹⁶ The state capacity of the Zaire state could not also thwart the militarisation of Hutu refugee camps the way Tanzania had managed to do so. And for that matter, as

⁹¹⁰ The New Vision, *Zaire threatens to expel refugees*, October 05, 1996.

⁹¹¹ Johan Pottier, *Relief and Repatriation: Views by Rwandan Refugees: Lessons for Humanitarian Aid Workers*, African Affairs, Vol. 95, No. 380 (Jul., 1996), pp.403-429, Oxford University Press, <http://www.jstor.org/stable/723574>, accessed: 05/02/2014 12:28.

⁹¹² James H.S Milner, *Refugees, the State and Politics of Asylum in Africa* (New York, Palgrave Macmillan, 2009).

⁹¹³ Sarah Kenyon Lischer, *Collateral Damage: Humanitarian Assistance as a cause of conflict*, International Security, Vol.28, No.1 (Summer, 2003), pp.79-109, The MIT Press, <http://www.jstor.org/stable/4137576>, accessed: 05/02/2014 12:16.

, explaining explains that the ‘‘state-in-exile-refugees’’ as violence prone, highly organised politically with a military leadership and that they are most likely to use humanitarian relief as a weapon of war.

⁹¹⁴ 165536.

⁹¹⁵ 166117.

⁹¹⁶ 165099.

earlier as September 1994, the government of Zaire had asked the United Nations and the United States to offer assistance in the relocation of the members of the former Rwandan army and government officials away from the refugee camps, and it had been suggested that the Ex-FAR troops and former government officials be relocated near the Ugandan border.⁹¹⁷ This suggestion may have led to the abortion of the idea of relocation for it would have led to the undermining of the security of Uganda and thus complicating the already fragile security architecture of the region. As such, the general weaknesses of the Zairian state served the Hutu warriors a congenial environment for political mobilisation for the destabilisation of Rwanda.⁹¹⁸

To put it more bluntly; Mobutu's government had long collapsed to be in position to contain the Hutu militarised refugee situation in the Kivu, the Eastern part of the territory of Zaire. Even political cohesion that is central to the functionality of government was also lacking as the rift between Prime Minister Kengo and President Mobutu--"the guide"; as reported on January 16 1995 served to undermine the performance of the government. Mobutu's politics of divisionism; pitted Kengo against Tshisekedi, who was another opposition figure in Zaire, to undermine the former's government. The objective was to institute a somewhat coup d'état against Kengo who was a favourite of the USA and its European allies.⁹¹⁹

Also, the government of Zaire lacked sovereign control to contain violent situations within its borders and it also lacked the capacity to bulwark its territory from being used as a somewhat launching pad for dissident activities against other countries had long warned. Precisely, its state capacity was wanting;⁹²⁰ with an army that was disoriented and divided along the logic of tribalism. Indiscipline was high into the ranks that the military ceased to be a professional body but rather a pack of armed thugs and rapists;

⁹¹⁷ See, 165096.

⁹¹⁸ See, Sarah Kenyon Lischer, *Collateral Damage: Humanitarian Assistance as a cause of conflict*: 79-109.

⁹¹⁹ 166081.

⁹²⁰ See, Alex Braithwaite, *Resisting infection: How state capacity conditions conflict contagion*, Journal of Peace Research, Vol. 47, No.3, Special Issue on State Capacity and Civil War (May 2010), pp.311-319, Sage Publications, accessed: 05/02/2014 12:17.

gangs raping nuns and engaging in petty theft like stealing beer.⁹²¹ Relief workers were convinced that though Zaire was responsible for ensuring the safety of refugees and humanitarian workers; its armed forces were not up to the task for they were poorly-trained and suffering from low morale as they sometimes went without a month's ``paltry salary``.⁹²² David Newbury narrates how the Mobutu Zaire state had steadily collapsed as a result of the politics of divisionism which he had decided to adopt as his *modus operandi* by setting one tribe against the other as a method of political control a matter that impacted negatively on the political cohesion of the Zairian state.⁹²³ The collapse of the Congo state under Mobutu, Thomas Turner observes, created a somewhat ``vacuum`` which was exploited by the belligerents who were against Rwanda and Uganda. As a result the two countries deemed it rational to oust Mobutu and replace him with a friendly power in the names of Laurent Desire Kabila.⁹²⁴ It is this kind of context that made Rwanda's security policy choices a somewhat puzzle.

⁹²¹ For a detailed discussion of decadent nature of the Mobutu establishment, see, Michela Wrong, *The Emperor Mobutu*, Transition, No. 81/82 (2000), pp. 92-112, Indiana University Press, <http://www.jstor.org/stable/3137451>, accessed: 05/02/2014 12:55.

⁹²² 165577

⁹²³ See, David Newbury, *Convergent Catastrophes in Central Africa*, Review of Africa Political Economy, Vol.23 No.70 (Dec., 1996),pp. 573-576, Taylor & Francis, Ltd., <http://www.jstor.org/stable/4006351>, accessed: 05/02/2014 13:02, and for a further detailed treatment of the weaknesses of the Mobutu regime in Zaire, see, Theodore Trefon, Van Hoyweghen Saskia, and Stefaan Smis, *State Failure in the Congo: Perceptions and Realities*, Review of African Political Economy, Vol. 29, No.93/94, State Failure in the Congo: Perceptions and Realities (Le Congo entre Crise et Regeneration) (Sep.-Dec., 2002), pp. 379-388, Taylor&Francis, Ltd, <http://www.jstor.org/stable/4006785>, accessed: 05/02/2014 13:23., documenting the weakness of Mobutu particularly poor economic management policies like sabotage of foreign investments through the nationalisation foreign investments in the 1970s, and the policy of divide and rule that worsened the citizenship crisis in the Eastern part of Congo. In almost a cumulative manner, Stefaan Smis and Wamu Oyatambwe, *Complex Political Emergencies, the International Community and the Congo Conflict*, Review of African Political Economy, Vol. 29, No.93/94, State Failure in the Congo: Perceptions & Realities (Le Congo entre Crise et Regeneration) (Sept.-Dec., 2002), pp. 411-430, Taylor & Francis, Ltd, <http://www.jstor.org/stable/4006788>, accessed:05/02/2014 13:07, sustains the discussion of the weaknesses of the Mobutu Zaire state noting how the optimism of the dawn of Zaire's independence with high hopes of economic prosperity, national security and unity were overtaken by the logic of self-aggrandisement as a *modus operandi* of Mobutu's government punctuated with excessive corruption and lawlessness, a situation that was aggravated by external interference as a result of the politics of the Cold War leading to improvidence of public services by the government and the lack of territorial control as Zaire's territory, particularly the Eastern part became a den of warriors and political dissidents against other countries.

⁹²⁴ See, Thomas Turner, *The Congo Wars: Conflict, myth and reality* (London. New York, Zed Books: 2007).

Whereas Edward Mogire advances that: State Security and refugee security are not and should not be mutually exclusive basing on the context of Kenya and Tanzania;⁹²⁵ the answer may not ably lie in conceptualisation but rather in policy situational shrewdness. This is because even where the host state is weak to contain the militarisation of refugee situations; the phenomenon may not only undermine the security of the host state, but also that of the state of origin as it was with the Hutu refugee phenomenon in Eastern Zaire. And as a result a security threat may not accrue directly from the refugees but also from the state of origin that may launch pre-emptive strikes on the host state as a way of disabling the military capacity of the refugees something that may undermine the security of the host state. This indicates that policy practice may require the suspension of refugees by the host state as a way of conserving its national security as it was with Tanzania when it enforced the repatriation of Hutu refugees to Rwanda⁹²⁶, as a strategy that was seen as an attempt to pre-empt the Zairian experience. It was reported that 460,000 of the 540,000 Rwandan refugees in Tanzania had returned to Rwanda from Tanzania by 29th December, 1996 before the deadline of Tuesday 31st December, 1996 which the Tanzanian authorities had given for the return of all Rwanda refugees in Tanzania.⁹²⁷ Earlier, 235,000 Hutu refugees from Karagwe camp were seen approaching the Ugandan boarder on 14th December, 1996 with 559 crossing the Kagera River on a private canoe to Uganda.⁹²⁸ It should be noted that some of the refugees who were expelled from Tanzania made secondary movements to Uganda and this further complicated their predicament as they had to grapple with starvation and the outbreak of dysentery.⁹²⁹ Uganda also threatened to deny them asylum,⁹³⁰ and Amnesty International made an appeal to the Ugandan authorities not to force the beleaguered refugees from

⁹²⁵ See, Edward Mogire, *Refugee Realities: Refugees Rights Versus State Security in Kenya and Tanzania*, Transformation: An International Journal of Holistic Mission Studies 2009 26:15, DOI: 10.1177/026537880912173, <http://www.trn.sagepub.com/content/26/1/15>.

⁹²⁶ David Newbury, *Returning Refugees: Four Historical Patterns of "Coming Home" to Rwanda*, Comparative Studies in Society and History, Vol.47, No. 2 (Apr., 2005), pp. 252-285, Cambridge University Press, <http://www.jstor.org/stable/3879305>, accessed:05/02/2014 12:37.

⁹²⁷ The Sunday Vision, *460,000 Rwandan refugees leave Tz*, December 29, 1996.

⁹²⁸ The New Vision, *235,000 refugees approach Uganda*, December 13 1996.

⁹²⁹ The New Vision, *Dysentery hits refugees*, Regional News, Thursday, November 9, 2000. Also, on the predicament of refugees, see, The New Vision, *Refugees die in forests*, December 18, 1996, and The New Vision, *A refugee's sad life in camps: Those in Nakivale and Orukinga camps in Mbarara, are hungry, sick, dirty and poor*, Wednesday, October 11, 2000.

⁹³⁰ The New Vision, *Bidandi rules out asylum for Rwandans out of TZ*, December, 18 1996.

Tanzania back to Rwanda.⁹³¹ The appeal by Amnesty International was sustained by foreign diplomats particularly the then Germany Envoy to Uganda, Mr. Christian Nakonz.⁹³² On the numbers, it was reported that 2000 Hutu refugees had entered Uganda from Karagwe camp in Tanzania to Orukinga camp in Bukanga in Mbarara by 14th December, 1996,⁹³³ 37 had reached Masaka District, Uganda by 21st December,⁹³⁴ 1996, 3,081 had been reportedly granted temporary refugee status in the Oruchinga Refugee Camp in Mbarara District, Uganda by 27th December, 1996.⁹³⁵ In addition, 200 had reached Uganda by 24th October, 2000,⁹³⁶ 340 by 24th July, 1999,⁹³⁷ 1000 by 20th September, 1999,⁹³⁸ 800 by 21st August, 1999.⁹³⁹ Also, 15,000 Rwanda Hutus, most of them Hutu fled Karagwe Northern Tanzania had entered Uganda by 02nd January, 2001,⁹⁴⁰ 100 by November 4th, 2001.⁹⁴¹

So, conceptualisation may not dictate the mutuality of two security areas but rather circumstance, and this Chapter outlines how Rwanda's choice of a military policy option in reaction to the Hutu refugees depicted clearly that in practice state security and refugee security (which this study looks at as a strand of human security) may be frictional in their relationship and that conceptual-non-mutual-, exclusivity of the two security areas may not hold at all times and situations.

So, in the midst of a weak and unwilling host state to demilitarise refugees,⁹⁴² the onus was on the international community to solve the militarised Hutu refugee problem that was becoming a security threat of regional proportions. The International Community knew as early as July 1994; that Zaire would not be in position to disarm the 15,000

⁹³¹ The New Vision, *Amnesty pleads for refugees*, December 20, 1996.

⁹³² The New Vision, *German envoy appeals for Hutus*, December 28 1996.

⁹³³ The New Vision, *Refugees enter Mbarara*, December 14, 1996, and The New Vision, *2000 refugees in Mbarara*, December 16, 1996.

⁹³⁴ The Monitor, *Fleeing Rwandese refugees arrive in Masaka*, December 21 1996.

⁹³⁵ The New Vision, *UNHCR seeks refugee for Hutus*, December 27, 1996.

⁹³⁶ The New Vision, *Fresh refugee influx worries Mbarara*, October 24, 2000.

⁹³⁷ The Monitor, *340 refugees enter Uganda*, Up-Country, Saturday, July 24, 1999.

⁹³⁸ The New Vision, *1,000 Hutu enter Uganda*, September 20, 1999.

⁹³⁹ The Monitor, *800 Hutu refugees flock to Mbarara*, August 2, 1999.

⁹⁴⁰ The New Vision, *15,000 Hutu refugees enter Nakivale*, January 02, 2001.

⁹⁴¹ Sunday Vision, *Rwandese for refuge in Uganda*, November 4, 2001.

⁹⁴² According to Sarah Kenyon Lischer, *Collateral Damage*, the demilitarisation of refugees may entail the use of the police or the arm of the receiving state, external interveners or a multilateral peace agreement enforcement unit. And that in the absence of state imposed security the militarisation of refugees through manipulation of humanitarian assistance picks momentum.

armed Hutus who were reportedly in refugee camps.⁹⁴³ The Government of Zaire was not even straight forward in its attempt to disarm the Hutu refugee armed elements for even its claims that 80 percent of FAR had been disarmed could not be verified as the whereabouts of the weapons confiscated remained a mystery.⁹⁴⁴ So relying on Zaire for the disarmament of the refugee warriors was to say the least of it an illusion. Indeed as early as September 1994, the United States of America delegation to Rwanda, Burundi and Zaire (August 26-31, 1994) had proposed and noted thus:

``Moreover, the Zairos military is in such disarray, from payment of salaries to discipline within the ranks, and that it is unclear what an effective enforcement presence would require. How far the United States is willing to go to support a positive Zairos role must be squarely faced and decided upon at the top levels of our government. Like many policy decisions, it may necessitate choosing the lesser evils. A non-Zairos peace keeping force, operating under the UN authority may be necessary and should be considered as well. ``⁹⁴⁵

The Co-Chair of the delegation, C. Payne Lucas dismissed the Armed Forces of Zaire as indiscipline and another member of the delegation, Todd Ulmer, dismissed the Zairian forces as ``part of the problem, not part of the solution``. ⁹⁴⁶Also, Ambassador Terence P. McCulley the then in -charge of Central African Affairs at the States Department of USA acknowledged Zaire`s failure to demilitarise the Hutu refugee populations and how Zaire had partition the international community for assistance. To that effect he noted thus:

``Security in the camps, disarming ex-FAR and relocation of former Rwanda government officials and military are all interrelated but the problems may best be managed by treating the questions separately. The Zairians have put issues on the table which may require bilateral and multilateral solutions, and which

⁹⁴³ 189312.

⁹⁴⁴ 189322.

⁹⁴⁵ 165099.

⁹⁴⁶ 165354.

incorporate the related issues of arrest and detention of suspected war criminals.``⁹⁴⁷

Although Zaire was said to have had a hidden agenda of securing a safe escape route for the former Rwandan leaders to exile, as the Ambassador insinuated when he said that, ``The ultimate goal is to engineer the exit of the former officials to third countries where they might find asylum``,⁹⁴⁸ the International community, particularly the United States wanted a guarantee to the effect that those who were allegedly guilty of violating International Humanitarian Law would be available for prosecution under the International Crime Tribunal for Rwanda.⁹⁴⁹ This particular incidence presented an opportunity for the international community to intervene for Zaire would not have protested any intervention as an infringement on its territorial integrity. And the fact that Prime Minister Kengo of Zaire had also requested the USA and the UN to assist in the disarmament of the former Rwandan army and the militias in preparation to resettle them far from the Rwandan borderline⁹⁵⁰ belied the cynicism that the USA exhibited of the request of Zaire.

The request by Zaire, without reading more into it, depicted that; albeit the sympathises which Zaire had for the former Hutu leadership, given the security threat the refugee warriors posed to Zaire as the new Rwandan Government was contemplating a military intervention into Eastern Zaire a matter that would have undermined the security of Zaire as it eventually emerged, Zaire was interested in having the former Rwandan army disarmed and relocated and this would have paved way for the return of the bonafide refugees who were being held at a somewhat political ransom. To the United States the puzzle was how to assist Zaire in handling the refugee burden without supporting Mobutu in his political schemes which were aimed at rehabilitating his political stand in Zaire and in the international sphere.⁹⁵¹ Even the Deputy Prime Minister of Zaire, Kamanda had extended the same request to the UNCHR on 6 October, 1994 during the UNCHR Executive committee meeting; calling for international assistance for maintenance of law

⁹⁴⁷ 165109.

⁹⁴⁸ 165109.

⁹⁴⁹ 166106.

⁹⁵⁰ 165109.

⁹⁵¹ 166097.

and order in the camps.⁹⁵² The UNHCR would only rely on the good will of world powers like USA in supporting such initiatives. But the United States if we are to go by the reasoning of Ambassador McCulley was also puzzled and noncommittal noting:

“Disarming and relocating the FAR brings us back to the difficult issue of who will do the deed. Clearly the Zairians cannot, and the United States will not.”⁹⁵³

Indeed, recommendations on the disarmament and relocation of the Hutu refugee warriors remained almost at the level of wishful thinking and good intentions. But to say the least, the International community was dilly-dallying when it came to addressing the refugee crisis.⁹⁵⁴ Solutions towards disarmament and relocation of refugees were not forthcoming for several reasons, and they are extracted directly from the thoughts of Ambassador McCulley that:

The prospects for success in convincing a third country to send its troops to both disarm and move the FAR, and assist the Zairians with security in the refugee camps seem dubious at the best. The Moroccan example is not encouraging, and although we may wish to approach a third country (such as Israel or France) to provide troops to disarm and relocate the ex-FAR, there may be few who would be willing to take on the job. The ex-FAR remains (remained) armed (albeit lightly) with command structured intact, and although a well-disciplined third country force could likely disarm and control the ex-FAR, the risk of confrontation might deter any nation from committing troops.

He Additionally noted that, such an action would ensure that the third country's troops would be widely perceived as a party to the conflict by the Hutu refugees in Zaire. Using such troops would be to provide security in the camps or to control the relocated ex-FAR would be problematic under these circumstances, and that the government of Zaire's current request for the UN and US assistance is likely an attempt to resolve the major and debilitating domestic crisis and at the same time obtain international legitimacy to bolster the Prime Minister against Mobutu.

⁹⁵² 165237.

⁹⁵³ 165109.

⁹⁵⁴ Phillip Reytenjens, 2009.

He outlined Mobutu's agenda is unclear at this point, and we should be careful to ensure that whatever solution we support, does not work to end Mobutu's isolation. While Mobutu's tacit approval will be required to deploy a bilateral or multilateral force to Zaire, we should continue to work with the government of Prime Minister Kengo, and that bolstering Kengo and disarming and relocating the ex-FAR and separating the Hutu extremists' leadership from the larger refugee population remain the objectives of US policy; tangible support to the former and a rapid solution to the latter remain problematic.⁹⁵⁵

What was central to the recommendations of the UNCHR as regards the measures to ensure the pacification of the camps was the issue of a multilateral police force to support the Zairian security forces.⁹⁵⁶ But the attitude of major actors, depicted by the thoughts of Ambassador McCulley enumerated above, bordered on a semblance of indifference and politicking, and can partly be explained as having been a result of the Hutu refugee catastrophe not directly falling into the logic of why liberal democratic governments take refugee generating situations with a measure of importance. It is alleged that liberal democracies: that also happen to have the privilege of economic plenty and political power, tend to perceive a refugee crisis as worthy a concern if it has ramifications on: their integrity, well being, financial capacity and political and social stability of their country.⁹⁵⁷ The memorandum which Timothy E. Wirth, then Under Secretary of State for Global Affairs, sent in 1994 to the Secretary of State was revealing of the little interest that international actors particularly the United States had in Rwanda and the predicament of refugees. He questioned that:

``How do we explain to the American Tax Payer that to date we have spent nearly \$500million in refugee assistance in a country (referring to Rwanda) of unexplained and inexplicable violence, where we have no apparent strategic or

⁹⁵⁵ Extracted with some adjustments from, 165109, and point 6 (six) was in 165555 where the relationship between Prime Minister Kengo and President Mobutu was reported about in detail by American sources.

⁹⁵⁶ 165237.

⁹⁵⁷ See, Myron Weiner, *Bad Neighbours, Bad Neighbourhood: An Inquiry into the causes of Refugee Flows*, *International Security*, Vol. 21, No.1 (Summer, 1996), pp. 5-42, The MIT Press, <http://www.jstor.org/stable/2539107>, accessed: 05/02/2014 13:05.

economic interests, and where the prospects for the short term and the long term are dim at best.⁹⁵⁸

The Hutu refugee crisis, though it was internationally recognised as a catastrophe, it was far from affecting the peace of those with a measure of what Sophie Bessis refers to as the: “Privileges of Power”. But addressing the Hutu refugee saga required the efforts of the international community. Indeed as early as September 1994, General Dallaire, the former UNAMIR force commander, during his meeting with troop contributors; he suggested that UNAMIR be given the mandate to enter the refugee camps in Zaire, ensure security and pacify the Rwanda western borderline with Zaire. He added that the operations would require “overwhelming force; by identifying and segregating those” who were intimidating refugees. He advised that transportation would be provided to transport the refugees back, but the International community had to come to the aid of Rwanda for its general reconstruction. Of specific importance here is Dallaire’s allusion to the invocation of the Chapter VII measures to address the refugee crisis in Zaire.⁹⁵⁹ Also Laurie Shestack, the then African Adviser to United States Mission to the United Nations , during a meeting in October 1994, with the United Nations Officials, he called for an intervention under Chapter VII of the United Nations Charter. It was reported that:

He (had) stressed that separation would be difficult. Control of camps was the last political card of the hardliners who otherwise had only bluster about an imminent invasion left in their quiver (sic). He felt that “short sharp” Chapter 7 operation of 3-6months duration was the only solution and he feared that it would be violent.⁹⁶⁰

The idea of adopting measures under Chapter VII of the United Nations Organisation Charter was retaliated during the 20th October 1994 interagency meeting during which a number of measures were discussed with regard to thwarting an impending “unconventional guerrilla activity by militia and ex-FAR or an explosion in the refugee camps”. Part of this was the pre-emptive measures under Chapter VII of the UN Charter.

⁹⁵⁸ 165245.

⁹⁵⁹ 165349.

⁹⁶⁰ 165301.

The same scheme was referred for discussion during the meeting of the interagency team with United Nations Under- Secretary General, Kofi Annan on October 25th 1994, but with no concrete outcome; except that the security situation was reviewed.⁹⁶¹ Even when a plan for the demilitarisation and relocation of refugees was finally reached at Geneva in October 1994 by the Joint UN/Government of Zaire Commission; coming up with recommendations in regard to how the scheme was to unfold; nothing materialised. The commission had recommended that 50000 people of whom 20000 were former Rwandan soldiers were to be moved to three camps in Equatorial, Shaba and Kivu provinces and one battalion was to be deployed to ensure security in the new camps. The camps were to ensure the removal of armed refugees from the Rwandan border and subsequently ensure disarmament. The programme was budgeted at USD 6 million.⁹⁶² This scheme also turned a chimera. Also the meticulous rubric of the Principal Committee Discussion Paper by the United States Interagency team which was focusing on the security in Rwanda refugee camps remained at the level of wishful thinking. The discussion paper of 10.28.1994 had suggested six possible options to addressing the security crisis in Hutu refugee camps. The options were as follows:

Option one: A two-phased operation to establish temporary safe areas inside the Zairian camps (modified ``bubble concept``). This was to entail measures under Chapter VI mission and would have required 3000-5000 mechanised, well equipped, well trained troops for up to 30 months. The first phase of this option was to entail the establishment of temporary safe zones for civilians within the camp, segregating armed military/militia. The UN force was to facilitate the return of refugees to Rwanda and provide protection for humanitarian operations. In addition the UN was to support the training by private contractors or UNCIVPOL of Zairian police or untainted Rwanda gendarmerie to take over camps security in Phase II, once the battalion moved to the next camp. The second phase of option I was to entail a single motorized company of UN troops and would remain behind with the newly trained local police force until each safe area was closed. A vital prerequisite for the success of this phase was to ensure favourable conditions for the

⁹⁶¹ 165321.

⁹⁶² 165235.

return of refugees by the Rwandan government which would require access of the Hutu refugees to their land, and a commitment to political reconciliation.

Option two: This was to entail the invocation of Chapter VII mission for the UN force to remove forcefully former Rwanda Government officials, soldiers and militias from the camps into the interior of Zaire. This mission would have required 10,000 to 12,000 extremely capable troops able to fight the ex-FAR and the militia who would have resisted the separation from civilian population.

Option three: This option was to be similar to the mission suggested in Option two, except that this was to be conducted by one or more countries forming a multilateral force countenanced but not under the auspices of the UN, as it was in Haiti or the operation Turquoise of the French in Rwanda 1994. It was indicated that the UN was favouring this option but highly in doubt whether any country was willing to offer troops.

Option four: dubbed: ``Doing nothing`` and that this was to have serious ramifications more so that the Non Governmental Organisations were most likely to pull out of camps an situation that would have led to the deterioration of camp security, and the international community would have been inundated with criticism.

Option five: this was to entail provision of daylight security to protect humanitarian agencies worker and ensure the food reaches the innocent civilians, but this option was not going to contribute to the ending of the civil-war for food was to continue being used by the Hutu warriors.

And option six was to entail the provision of daylight security and the piloting of efforts to create temporary safe areas inside one or two camps. This option was dubbed the ``hybrid``, but it required a commitment from Rwanda that repatriation of refugees was to be facilitated by the authorities in Rwanda. Accordingly, the international community, under this option, had to weigh the military and political implications of this option.⁹⁶³

All the six options remained at the level of blue-print, and none was operationalised to a logical conclusion; despite the fact that United Nations High Commissioner for Refugees, Sadako Ogata called a meeting on October 31 to present the proposed security package to

⁹⁶³ Extracted with some adjustments from archival record: No. 165548.

the donors with a component of an international police force to assist the Zairian forces in the maintenance of security in camps.⁹⁶⁴ Whereas the spirit behind the drafting of the Discussion Paper was to ensure that Rwandan innocent refugees are not betrayed by the inaction of the International community; this spirit never materialised.⁹⁶⁵ Indeed when the US Interagency team meet with the United Nations Under Secretary General, Kofi Annan in November 1994 to discuss the content of the discussion paper, whereas he was receptive of the content, he presented what appeared to be a moderation of its contents by presenting a version of the option of the United Nations when it came to addressing the security in refugee camps. Whereas he countenanced an operation under Chapter VI with 1-2 battalions, he added that the force was not to separate former soldiers and officers from the common pool of refugees. He noted that the UN had also thought of the idea of an operation under Chapter VII but to realise how unrealistic it was going to be with due regard to size and scope. He delineated other options by the United Nations outlining; training and the equipping of the Zairian officers under a somewhat Chapter VI kind of operation, training Zairian troops bilaterally in conjunction with the UNHCR, training the Hutu who were ``not-so-dirty`` to provide security in camps, offering humanitarian security under Chapter VI as a way of securing humanitarian aid workers in the course of their duties, and underscored that the options were not mutually exclusive, but were all geared towards ensuring the security in camps.⁹⁶⁶

Annan's proposals, appropriate as they may have been; served to show the extent to which the international community was moving in a rather rotational manner in its attempt to solve the security crisis in refugee camps. Also Annan's mention that the operational force under a Chapter VI mandate was not to ensure the separation of soldiers and former Rwanda government officers from refugees depicted that the options of the United Nations were far from addressing the root cause of the crisis; that is the issue of militarising and politicising camps. The impact of the indecisiveness of the international community on the Human Security of the civilian Hutu refugees was grave; as it is discussed in the subsequent section of this chapter. In the details of the complexities of the Hutu refugee saga, it seems the international community preferred the

⁹⁶⁴ 165589.

⁹⁶⁵ 165548.

⁹⁶⁶ 165583.

fourth option: Doing Nothing. International diplomacy which involves a measure of bargaining, lobbying and blackmail unfolded in a manner that served to aggravate the crisis.⁹⁶⁷ Indeed by January 31 1995, if we are to go by the Memorandum of the then Minister-Counsellor for Political Affairs at the US mission to the United Nations, Cameron R. Hume to Ambassador Albright with subject: Security Council Informals on Rwandese Refugee camps, Tuesday, January 31 10:00am, it can be concluded that no concrete steps had been made towards the creation of a peacekeeping mission for Eastern Zaire to contain the security crisis in refugee camps. Hume partly wrote:

The attached Report of the SYG on security in the Rwandese refugee camps informs the council (Security Council) that since peacekeeping efforts in the refugee camps at this time do not appear feasible, due to a lack of willing troop contributors, UNHCR will follow up with the government of Zaire on arrangements to enhance security in the camps.⁹⁶⁸

It should be underscored that the hegemonic bickering between the USA and France over the modalities of having a peace keeping force to demilitarise the camps undermined international progress on dealing with the refugee crisis. An international community that had spent around USD 1.3 billion in humanitarian assistance to refugees in camps found it difficult to fund the disarmament of refugee warriors as the discussion for sending a peacekeeping force were delayed by funding modalities.⁹⁶⁹ Any peace keeping mission championed by the French in the refugee hosting areas was viewed with a considerable measure of cynicism on the side of the USA. The USA was fully aware of not only the sympathy that France had for the Hutu militants, but also the French political manoeuvres during the Rwandan genocide. Instructive of the French manoeuvres during the genocide is when they claimed that all the refugees who were going through the French control territory of South Western Rwanda during the Operation Turquoise Mission in the aftermath of the genocide; had been disarmed, yet the members of the former Rwandan

⁹⁶⁷ 165583.

⁹⁶⁸ 165645.

⁹⁶⁹ Lischer, *Collateral Damage*, 2003: 79-109.

army are said to have moved to Zaire through the French controlled area of Rwanda with military heavy weapons like tanks.⁹⁷⁰

So, generally, the Americans were cynical of the French when it came to matters of Rwanda. Indeed the World Vision Relief and Development Inc., reaffirmed on 17 March, 1995, the rumour which had been earlier circulated in February 1995⁹⁷¹ and later on 16 March 1995⁹⁷²; to the effect that French nationals had started retraining the ex-FAR, and advising the former Hutu government officials who were hiding in Eastern Zaire. It was noted that the authorities in Paris were in the know of such manoeuvres, and this had led to increased violent incursions by the refugee warriors into Rwanda.⁹⁷³ The French had earlier on, as of August 1994, maintained their presence in Goma- a hub of the Hutu warriors, with a fleet of 450 men..⁹⁷⁴ Militarisation of the refugee camps in Goma went on despite the French troop presence. This raises a particular question: Why were the French there, yet they were not pacifying the camps?

USA was the defender of the interests of the Kigali regime in the wake of the political manoeuvres of the French who were equally cynical of the increased Anglo-Saxonian influence in the French dominions.⁹⁷⁵ An incidence which is instructive of the bickering between the French and the Americans as far as the future of Rwanda was concerned is when the two countries disagreed over the nature of an International Conference on Rwanda. Whereas the Americans wanted the conference to focus solely on the ``refugee problem``, and to be hosted in Bujumbura, the capital of Burundi in the Central African Region; the French wanted the conference to be hosted in ``international site`` for instance New York, Geneva or Addis, and that it should also focus on the internal political issues of Rwanda.⁹⁷⁶

⁹⁷⁰ 168848.

⁹⁷¹ 166252.

⁹⁷² 166227.

⁹⁷³ 166226, 166236.

⁹⁷⁴ 189338.

⁹⁷⁵ For a detailed treatment of the bickering between France and the United States of America, see, Asteris C. Huliaras, *The ``Anglosaxon Conspiracy``. French Perceptions of the Great Lakes Crisis*, The Journal of Modern African Studies, Vol. 36, No.4 (Dec., 1998), pp. 593-609, Cambridge University Press, <http://www.jstor.org/stable/161926> accessed: 05/02/2014 12:40.

⁹⁷⁶ 165582.

Another incidence is when the French were completely opposed to the idea of even partially lifting the arms embargo which had been placed on the Government of Rwanda during the genocide. Indeed during the 7 March, 1995 Security Council session it is Ambassador Karl F. Inderfurth that countered the arguments of the French which had been supported by the Russians and United Kingdom; noting that the Rwandan Government request to the Security Council to lift the arms embargo was being informed by the incursions of the Hutu refugee warriors into Rwanda and the military training sessions that had been reported to be taking place in the refugee camps. The French had reasoned that the lifting of the arms embargo was to threaten the refugees, the more, from repatriating.⁹⁷⁷ It should be recalled that the Permanent Representative of Rwanda to the United Nations, Ambassador, Bakuramutsa confined in Ambassador Inderfurth during the meeting of 1 March 1995; that the Security Council had been unfair to Rwanda and that the decision not to grant Rwanda the right to procure guns was a punishment on Rwanda and it was destined to undermine the security of Rwanda.⁹⁷⁸

Accordingly, the International politicking translated into international indecisiveness in the midst of a worsening catastrophe. Indecisiveness and lack of commitment to progress served to disorient the authorities in Rwanda who were concerned of the extent to which the refugee crisis in Zaire was undermining; majorly the security of Rwanda and the stability of the new government. But although the International community was also far from addressing the crisis, conversely, the new government in Rwanda was increasing under diplomatic pressure to address the refugee crisis that was outside its jurisdiction.

It should be remembered from Chapter 1 of this study that the Canadian variant of Human Security sanctifies International intervention as a means to protecting and promoting human security. The variant goes: that where states fail to ensure the human security of the people; the onus is always on the international community to use all means including military force to extricate the people from abuse. Whereas the International community failed to heed to the call of General Dallaire to send more troops to Rwanda

⁹⁷⁷ 166245.

⁹⁷⁸ 166247.

to avert the genocide;⁹⁷⁹ it also failed to send troops to Zaire to ensure that the human security of the refugees was secured in a complex security situation that pitted the Hutu militants against the Kigali government. Even the Security Council that has the mandate of sanctioning the military interventions of the United Nations was non committal when it came to issue of demilitarising the refugee camps in Zaire. During the discussion of the Secretary-General's Progress report on the United Nations Assistance Mission for Rwanda, UNAMIR (S/1994/1133) the outcome was sheer rhetoric with no serious intentions to address the problem. In his memorandum of 10/12/1994 to Ambassador Albright, Cameron Hume summarised the outcome of the United Nations Security discussions of the Secretary General's report as follows:

The Security Council notes the view expressed in the report that the most effective way of ensuring the safety of the refugees and their freedom to return to Rwanda would be separation of Political leaders, former RGF soldiers and militias from the rest of the refugees population and looks forward to receiving a further report from the Secretary-General on this issue, as soon as possible, based inter alia on the findings of the United Nations team participating in Joint Zairian/United Nations Working Group.⁹⁸⁰

The red-tape tendencies of the bureaucracy of the United Nations led to delay in reaching a concrete measure to addressing the militarisation of refugee camps, and partly owing to international political realism, a decisive international action on a human security catastrophe was delayed and Rwanda's security was increasingly at stake with incursions by rebels into its territory increasing. If the Canadian approach to guarding human security through international military interventions was to be the answer to this scheme of things; plainly, it appeared to be far from the realms of the possible. The approach was

⁹⁷⁹ The most telling account of how the so called international community betrayed Rwandans during the genocide of 1994 is provided by Anne Mackintosh, *Rwanda: Beyond "Ethnic Conflict"* (Rwanda: au-delà du conflit ethnique/Ruanda: além do conflito ético/Rwanda: mas alla del conflicto étnico), Development in Practice, Vol. 7, No.4, Special Double Issue (Nov., 1997), pp.464-474, Taylor&Francis Ltd, <http://www.jstor.org/stable/4029016>, accessed:05/02/2014 12:43, noting that when General Romeo Dallaire, the Canadian Commander of UNAMIR, sent a detailed fax to the United Nations Organisation Security Council indicating that preparation were underway for mass slaughter of the Tutsi in Rwanda, the Senior officials at the United Nations decided to shelf the fax; not presenting it to the members of the Security Council, and his request to search the arms caches as a way of enforcing the armed embargo was ruled out of order: that it was out of the mandate of UNAMIR.

⁹⁸⁰ 165256. An addendum to this citation was seen in 165258.

not and is not impervious to the politics of international action that obtains from interest, and to put it more candidly: The politics of what is in it for me. Indeed by 13 February, 1995, the United Nations had approached 60+ countries to provide peace keeping forces to ensure security in refugee camps, but to no avail. As such the UN had ruled out the option of a multilateral peace keeping mission, and Zairian forces remained the only available option their weaknesses notwithstanding.⁹⁸¹

It is only Japan that had earlier informed the United Nations on 13 September, 1994 that it was willing to send Japanese military units to Zaire and Tanzania to assist in the management of humanitarian services,⁹⁸² but the issue of demilitarisation of camps, which was urgently needed for the smooth repatriation of refugees; was not part of the Japanese military agenda. However, besides the agenda related issues, Japan's offer of its military to serve a humanitarian purpose depicts its belief in the philosophy of human security concerns that can also be part of the activities which the military can undertake beyond national/state security.

Surprisingly, although by 16 March 1995, the first contingent of 100 Zairian troops had already arrived in Goma on 11 February, 1995,⁹⁸³ the UNHCR was still literally fidgeting on how it was going to build a contingent of 50 international supervisors and 1500 Zairian officers to ensure law and order and to escort the repatriating refugees to the border. The mathematics was problematic: 1500 officers to more than one million refugees.⁹⁸⁴ But at least, at another front; Rwanda's quest for foreign assistance for the reconstruction of government capacity to function, progress was being made and indeed, it was reported again on March 16 1995 that donors had disbursed the 20% of the USD 587 million pledges which had been made at the Round Table meeting of January 1995.⁹⁸⁵

Conversely, on the issue of Hutu refugee warriors, the mandate of the Zairian forces together with the international supervisors did not include the separation of the armed

⁹⁸¹ 166230,166279.

⁹⁸² 189355.

⁹⁸³ 166260.

⁹⁸⁴ 166231.

⁹⁸⁵ 166231.

from the civilian refugees after all the force operated below capacity.⁹⁸⁶ But the International community, despite its failure to reach at a concrete plan of action as regards the security of refugees, it continued to demand that Rwanda facilitates refugee return that were clearly under the control of the Hutu refugee warriors. By January 24 1995, the Ministry of Foreign Affairs of Belgium was still of the view that:

``... the GOR will have to be pressed to provide concrete information on the how and when reconciliation and return of refugees. ``⁹⁸⁷

Even when the arms embargo on Rwanda was lifted so that it could embark on measures to improve its internal security, the international community, particularly the United Nations demanded that the lifting of the embargo be based on ``Quid Pro Quo``; that the Rwandan Government had to countenance the activities of UNAMIR. These activities included repatriation of the internally displaced people to their homes. It should be outlined that whereas the embargo was instituted against the Habyarimana regime, it was extended to the new Government as if it was initially meant for it.⁹⁸⁸ The outcome of the international community stance was that it radicalised the new Rwandan government as Tutsi extremists got ground to justify their attitude towards the inclusion of the Hutus in the new government for the international community which seemed to be literally pushing the new government onto a somewhat diplomatic wall was investing in the feeding of the Hutu refugees of whom were the refugee warriors in Eastern Zaire.

Many issues were at play as far as the refugee crisis was concerned. The Hutu refugee crisis had also become a regional security complex which was not only undermining the security of Rwanda and Zaire, but also neighbouring countries like Uganda and Tanzania. Uganda was particularly concerned that the Hutu refugee warriors in the Zaire would forge an alliance with the belligerents against Uganda, the Allied Democratic Forces (ADF); who had also found sanctuary in the forests of Eastern Congo. Zaire's Mobutu would not either be trusted by Uganda to keep the belligerents at bay. Indeed the town of Goma and its vicinity that housed majority of the Hutu refugee camps was/is located

⁹⁸⁶ 166259.

⁹⁸⁷ 165651.

⁹⁸⁸ 166242.

approximately 70 kilometres from Uganda,⁹⁸⁹ and this was a strategic challenge to the Uganda security architecture. This system of things fit particularly well into the logic of Idean Salehyan and Kristian Skrede Gleditsch explanation of how refugee situation from one country can lead to the spread of civil wars even to other countries. To them refugee flows can facilitate elicited movement of arms, expand the social networks of rebels, alter ethnic balance with hitherto established hegemonic multi-ethnic alliances, undermine the economic progress of the host country and the economic emancipation of its people and can act to bulwark the capacity of internal opposition in the host state to execute political actions.⁹⁹⁰

Therefore the fears of Uganda, Burundi and Tanzania, though Tanzania managed the Hutu refugee situation with a measure of success in demilitarisation of camps, but to later repatriate in December 1996; the majority of the 540,000 which it was hosting them arguably in fear of facing the fate of Mobutu's Zaire;⁹⁹¹ where Rwanda attacked refugee camps and subsequently overthrew the government of Mobutu, were not unfounded. Indeed as early as September 1994 it was reported by the Libreville Radio Station that ex-FAR forces had clandestinely left Zaire to Tanzania to form a new army there. Earlier reports had indicated the presence of uniformed and armed ex-FAR from Goma in Benaco Tanzania. Tanzania government and the residents of those areas where the Interahamwe had infiltrated were apprehensive of a possible confrontation between the RPA and the interahamwe militias.⁹⁹² Zaire particularly suffered the catastrophe of hosting highly militarised refugees as Rwanda, in its quest to stabilise its territory; literally took the war to its neighbour, in the Eastern Congo. Rwanda dismantled the Hutu

⁹⁸⁹ The Monitor, *Zairean Tutsi refugees cause anxiety in Kisoro*, July 31, 1996.

⁹⁹⁰ See, Idean Salehyan and Kristian Skrede Gleditsch, *Refugees and the spread of Civil-War*, International Organisation, Vol. 60, No. 2 (Spring, 2006), pp.335-366, Cambridge University Press, <http://www.jstor.org/stable/3877896>, accessed:05/02/2014 12:53. Also see, Idean Salehyan, *The Externalities of Civil Strife: Refugees as a Source of International Conflict*, American Journal of Political Science, Vol.52, No. 4(Oct., 2008), pp.787-801, Midwest Political Science Association, <http://www.jstor.org/stable/25193850>, accessed:05/02/2014 12:24, for a detailed theoretical treatment of how the Hutu refugee phenomenon in Eastern Congo undermined the security of Rwanda and subsequently led to the overthrow of Mobutu as Rwanda waged an attack onto Refugee camps, a phenomenon that gave way to the logic of overthrowing their perceived patron; Mobutu Sese Seko Kuku Ngbendu Wa Za Banga (the all-powerful warrior who will go from conquest to conquest, leaving fire in his wake`).

⁹⁹¹ Cf., Amnesty International, *Great Lakes Region: Refugees Crisis far from Over*, AI Index: AFR 02/09/97, Embargoed for Release: 0001Hrs GMT 24/01/97, News Service 09/97.

⁹⁹² 165318

militarised refugee camps and mobilised the Zaire opposition groups into a formidable force which consequently overthrew Mobutu's government. The Hutu refugee phenomenon in Eastern Congo also aggravated the ethnic tensions in the Kivu region of Zaire as the refugees aligned themselves with the native Hutu communities to fight other native communities like the Hunde over land and later presided over the killings of a good many Congolese of Tutsi origin in Uvira areas.⁹⁹³ Indeed, it is Zaire that epitomises how refugee situations can undermine the security of the host state with disastrous outcomes.

Uganda also viewed the new Government in Rwanda as an ally that had to be helped to get out of this somewhat security quagmire. Rwanda was determined to put a determined fight against the security threat that the Hutu refugee crisis posed. Uganda, though not the focus of the treatment which this study gives at this point, was part of the capability equation that Rwanda had in its quest for a final solution to the security threat which the Hutu refugee phenomenon posed.⁹⁹⁴ The argument was: if the international community has failed to solve the crisis; it was now up to the Government in Rwanda to extricate itself from the security threat which had a security and insecurity-dilemma complexion. To Rwanda the objective was clear: curtailing a resurgence of violence which was destined to undermine its post-conflict reconstruction processes. So, the question emerges: which kind of security policy orientation was pursued and what does it mean

⁹⁹³ See, David Newbury, *Returning Refugees: Four Historical Patterns of 'Coming Home' to Rwanda*, Comparative Studies in Society and History, Vol.47, No. 2 (Apr., 2005), pp.252-285, Cambridge University Press, <http://www.jstor.org/stable/3879305>, accessed:05/02/2014 12:37, for a detailed treatment of the predicament of the Banyarwanda refugees during their stay in Zaire and what awaited them when on return to Rwanda when their camps were dismantled. Also see, David Newbury, *Convergent Catastrophes in Central Africa*, Review of African Political Economy, Vol. 23 No. 70 (Dec., 1996), pp.573-576, Taylor&Francis, Ltd., <http://www.jstor.org/stable/4006351>, accessed:05/02/2014 13:02, Stephen Jackson, *Sons of which soil? The Language and Politics of Autochthony in Eastern D.R.Congo*, African Studies Review, Vol. 49, No.2., (Sept., 2006), pp.95-123, African Studies Association, <http://www.jstor.org/stable/20065242>, accessed: 05/02/2014 12:29, Severine Austessere, *Local Violence, National Peace? Post war 'settlement' in the Eastern DR. Congo (2003-2006)*, African Studies Review, Vol.49, No. 3 (Dec., 2006), pp. 1-29, African Studies Association, <http://www.jstor.org/stable/20065261>, accessed: 05/02/2014 12:35; and 166244, for a detailed analysis of the reasons which were behind the conflicts in the Eastern part of Congo that persist to the present. The reasons ranged from the political tactics of Mobutu of playing one ethnic group against another or others; divide and rule, and the catastrophe of the existence of Hutu refugee warriors.

⁹⁹⁴ For a detailed treatment of the issues that informed the participation of Uganda in the two Congo wars, 1996-1997, and 1998-, see, John F. Clark, *Explaining Uganda Intervention in Congo: Evidence and Interpretations*, The Journal of Modern African Studies, Vol. 39, No.2(Jun., 2001), pp. 261-287, Cambridge University Press, <http://www.jstor.org/stable/3557264>, accessed:05/02/2014, 12:52

when it comes to explaining and understanding the tension between human security and state security in post conflict reconstruction situations?

It was mentioned in the conceptual chapter of this study that addressing human security and state security threats is a matter of prioritising policy objectives and that picking on what to address first is a matter of decision making shrewdness; obtaining from the logic of: higher security threat and lesser security threat. But the Hutu refugee crisis placed human security and state security at the same level along the continuum of security threats. The two security areas were reinforcing each other in a cataclysmic manner. It was a manifestation of the absurdity of conflict in all its complexities; the Hutu refugee crisis was as a result of the conflict in Rwanda and it was now causing a resurgence of conflict in Rwanda leading to further human and state insecurity complexes.

Accordingly, the burden of thwarting the crisis became a security policy burden to Rwanda. Indeed as early as 23 May 1995, reports of Rwanda's intentions to execute pre-emptive strikes against the Hutu refugee warriors in Eastern Zaire had gained currency.⁹⁹⁵ Rwanda's approach to finding a solution to the refugee crisis attested but to one thing: that Human Security and State Security conflict with each other when it comes to choosing the policy orientation along the ladder of security policy options. In the context of Rwanda, the Human security area was affected by the security policy options which were chosen to address the security threats which emerged as a result of the convergence of the two securities along the continuum of security threats which threatened a resurgence of violence in a post-conflict state. The act of choosing an appropriate element from Samuel Huntington's elements of security policy: to address the convergence of human and state security threats becomes a complex process that can only be precisely put using the analogy of the snake in the cooking pot; an analogy in the Luganda language from the East African region. One former Rwandan Patriotic Army officer, and a one time member of the Uganda People's Defence Forces(very fluent in Luganda and Kinyarwanda given his Ugandan background) who was part of the Rwandan intelligence in Zaire in 1995 narrated the analogical story; to give a more

⁹⁹⁵ 166254.

graphical tone to his understanding of the Hutu refugee saga in Rwanda. Briefly, the story went as follows:

A man found a snake in his cooking pot and he thought of hitting it. To hit the snake meant that he was going to equally smash his cooking pot and therefore have nothing to use to cook his food which was important to his survival. But even living the snake into the pot would not help either; for he would not cook food together with the snake. He decisively hit the snake and smashed the pot.⁹⁹⁶

So, solving the refugee crisis presented to Rwanda, the new Government of Rwanda with a practical dilemma of the ``snake in the cooking pot`` proportions. Within the camps ``pots`` were the needed content: bonafide refugees and the not needed content: the refugee warriors, the ``snakes``. Killing the snakes meant not sparing the pots and the needed content. The choice was to dismantle the camps ``pots`` and destroy the refugee warriors, 'snakes', but even the needed content, the bonafide refugees who required protection were never spared for the methods chosen were not selective and little respecter of the survival of the bonafide refugees.

Emphasis should be made that in addressing the violence which accrue to the convergence of human security and state security; the question of higher and lesser evil becomes hard to fathom; thus the tension between human and state security at the level of policy implementation. Drawing from primary sources: archival material, reports of international organisations, reports of the government of Rwanda, documentaries, record of interviews, Newspapers; secondary sources: books, journal articles, and academic theses, the study, at this point examines the course of policy action that Rwanda took and its implication on the debate concerning human security and state security.

⁹⁹⁶ Translation made from the narration given by a former intelligence Officer who served in the Congo in 1995, 1996, 1997, and 1998 during a personal interview which the researcher had with him in 2013. Personal Interview with a retired Lieutenant, a veteran of the RPA; now a farmer in the rural areas of Nyarubuye Cell, Gabiro District of Umutara Province, taken on July 27th, 2013.

5.1.2 Sacrificing human security for the realisation of state security:

``something more sinister``

As if to dramatise the historical estrangement between the Hutu and the Tutsi, Mamdani observed thus:

The world of Hutu and Tutsi had become like the world of the rat and the cat. For the rat, there is no animal more dangerous than a cat. And for the cat, there is no animal more delicious than the cat. (Mahmood Mamdani, 2002).

This system of things means/meant that the Rwanda Patriotic Front government in, which majorly comprise (d) of the Tutsi had to ensure that the Hutu refugee warrior problem in the Eastern Democratic Republic Congo, then Zaire, had to be decisively dealt with.

It should be emphasised that despite the incessant demands by Rwanda, international humanitarian agencies, the UNHCR, the International Federation of Human Rights (FIDH) and the Human Rights Watch, among others, no viable mechanism was adopted by the international community to thwart the security challenge which the militarised camps posed to the security of Rwanda and to that of the refugees (Refugee Security-cum-human security). The several options which the United Nations severally presented to the Security Council were dismissed as financially untenable and practically unviable.⁹⁹⁷ Rwanda was convinced that the providence from the international community as regards giving a solution to the Hutu refugee crisis was not forthcoming. The incursions in Rwanda by the Hutu refugee warriors from Congo were gaining momentum; threatening a protracted civil-war.⁹⁹⁸ By 1996, Rwanda was grappling with intensified Hutu militants incursions, and Kagame alerted the leadership of particularly the United States that it was to act on the threat if the international community had failed to act.⁹⁹⁹ The Hutu refugee camps under the watch of International Humanitarian

⁹⁹⁷ See, Human Rights Watch, *What Kabila is hiding: Civilian Killings and Impunity in Congo*, Vol. 9, No. 5 (A), October, 1997.

⁹⁹⁸ See, Filip Reyntjens, *Briefing: The Second Congo War: More than a Remake*, African Affairs, Vol. 98, No. 391 (Apr., 1999), pp.241-250, Oxford University Press. <http://www.jstor.org/stable/723629>, accessed: 05/02/2014 12:36. Also see, Human Rights Watch, *What is Kabila Hiding*, 1997.

⁹⁹⁹ Human Rights Watch, *What is Kabila Hiding*, 1997.

agencies were becoming highly militarised, and the government of Mobutu would not be trusted in alleviating the problem.

Meanwhile violent incursions into Rwanda by refugee warriors were becoming regular, and attacks on the Tutsi Congolese; known as the Banyamulenge in the South Kivu area of Eastern Congo were not uncommon, and ¹⁰⁰⁰ the new government in Kigali felt obliged to protect their cousins, the Banyamulenge people¹⁰⁰¹ in Eastern Zaire who were being preyed on since early 1995: by the armed forces of Mobutu, the indigenous Hutu and the Hutu refugee warriors in the areas of Itombwe highlands in the Uvira region.¹⁰⁰² Many Congolese Tutsis sought refuge in Uganda to escape persecution in Eastern Congo, and it was reported that by 22nd May, 1996, 2000 Zairian/Congo Tutsis were reported to have crossed into Kisoro, South-Western Uganda.¹⁰⁰³ Mamdani notes that the Genocide in Rwanda of 1994 reconfigured the tendencies of the Rwandan state that it was

¹⁰⁰⁰ See, Kisangani N. F. Emizet, *The Massacre of Refugees in Congo: A case of UN Peacekeeping Failure and International Law*, The Journal of Modern African Studies, Vol. 38, No.2(Jul., 2000), pp. 163-202, Cambridge University Press, <http://www.jstor.org/stable/161648>, accessed: 05/02/2014, 12:08., Thomas Turner, *The Congo Wars: Conflict, Myth and Reality* (London. New York, Zed Books: 2007).

¹⁰⁰¹ Kisangani, *The Massacres of Refugees in Congo*, 2000, offers a succinct description of the Banyamulenge that: The Banyamulenge are Congolese of Tutsi origin who migrated to South Kivu several centuries ago. They were separated from Rwanda in 1910 when boundaries in the Great Lakes region were redrawn by the colonial powers, and that since then, they have remained quasi-homogenous, preferring intra group to inter-ethnic marriages. They stand in sharp contrast to the Banyarwanda Congolese who comprise of the are natives of North Kivu known as the Banyabwisa, the Rwandan migrants who came during the colonial period and approximately 50,000 Tutsi refugees. The Banyarwanda group is said to have engaged in intermarriages and manifest a mixture of Hutu and Tutsi. It is said that they formed an alliance to fight for their land rights against the indigenous Congolese people in North Kivu. But the Banyamulenge and the Banyarwanda were the victims of the 28 April 1995 Resolution of the Mobutu Government which stripped them of their citizenship and land rights a matter that heightened the citizenship crisis that has been at the centre of the episodes of violence in the recent history of Congo Zaire. But a detailed discussion of how the Banyamulenge identity metamorphosed across a period of time as a result of the socio-economic and political conditions that they went through, see, Koen Vlassenroot, *Citizenship, Identity Formation and Conflict in South Kivu: The Case of the Banyamulenge*, Review of African Political Economy, Vol.29, No. 93/94, State Failure in the Congo: Perceptions & Realities Le Congo entre crise et Regeneration) (Sep.-Dec., 2002), pp. 499-515, <http://www.jstor.org/stable/4006793>, accessed: 05/02/2014 13:03. Also see, Human Rights Watch, 1997. But for a detailed analysis of the Banyamulenge question and the Security Crisis in Congo in the 1990s, see, Sallie Simba Kayunga, 1997.

¹⁰⁰² Phillip Reyntjens, 1999. Also see, Rene Lemarchand, *U.S. Policy in the Great Lakes: A Critical Perspective*, A Journal of Opinion, Vol.26, No.1 Central Africa in Crisis (1998), pp. 41-46, African Studies Association, <http://www.jstor.org/stable/1166552>, accessed: 05/02/2014 12:13. Also for a detailed treatment of the political crisis in North Kivu which partly informed the logic of Rwanda's military incursions and the subsequent episodes of warfare that have plagued Congo up to recent times, see, Denis M. Tull, *A Reconfiguration of Political Order? The State of the state in North Kivu (DR. Congo)*, African Affairs, Vol. 102, No. 408 (Jul., 2003), pp.429-446, Oxford University Press, <http://www.jstor.org/stable/3518745>, accessed:05/02/2014 12:26.

¹⁰⁰³ The Monitor, *Zairean Tutsi refugees cause anxiety in Kisoro*, July 31 1996.

discharged with the duty of protecting the Tutsi wherever they were.¹⁰⁰⁴ The massacres of the Tutsi of the North and South Kivu in late 1995 which were crowned by the Mudende massacres of December 1995¹⁰⁰⁵; highlighted the predicament of the Tutsi Congolese in the midst of violent Hutu refugee warriors and other violent Hutu Congolese native groups.¹⁰⁰⁶

The Hutu refugee camps were strategically located almost in the immediate neighbourhood of Rwanda with Zaire. This made incursions to be executed in a quick and robust manner. ``Commando operations`` were made by the refugees warriors; undermining the security of particularly the Western Prefectures of Rwanda.¹⁰⁰⁷ The camps were also located near to the centre of activity in Eastern Congo: near the towns of Goma in North Kivu, Bukavu and Uvira in South Kivu;¹⁰⁰⁸ which the United States Ambassador Terence P. McCulley (who was in Charge of the Central Africa Affairs in the States Department at the time of the beginning of the Hutu refugee crisis) referred to as the ``Goma-Bukavu axis``.¹⁰⁰⁹ This made easy for the authorities presiding over these camps (as it was earlier noted that the authorities were largely the former members of the genocide government in Rwanda and the militias) to access weapons from arms dealers.

Meanwhile few refugees were returning despite the continuous plea by the international community—particularly the UNHCR, and the government of Rwanda; that Rwanda was ready for their return. Though still overwhelmed by the fear of revenge; what complicated their return was the fact that they were being held hostage by the Hutu refugee warriors.¹⁰¹⁰

¹⁰⁰⁴ Mahmood Mamdani, *African States, Citizenship and War: A case-study*, International Affairs (Royal Institute of International Affairs 1944-), Vol. 78, No. 3 (Jul., 2002), pp. 493-506, Willy, <http://www.jstor.org/stable/3095887>, accessed: 05/02/2014 12:59.

¹⁰⁰⁵ Rene Lemarchand, *U.S. Policy in the Great Lakes: A Critical Perspective*, A Journal of Opinion, Vol. 26, No.1, Central Africa in Crisis (1998), pp. 41-46, African Studies Association, <http://www.jstor.org/stable/1166552>, accessed:05/02/2014 12:13.

¹⁰⁰⁶ See, Human Rights, 1997, for a detailed treatment of the persecution of the Banyamulenge people in Zaire during the years which preceded the 1996-1997 war which saw the overthrow of the Government of Mobutu and the dismantling of the refugee camps in Eastern Zaire.

¹⁰⁰⁷ Phillip Reyntjens, *The Great African War*, 2009.

¹⁰⁰⁸ Thomas Turner, *The Congo Wars*, 2007.

¹⁰⁰⁹ 165109

¹⁰¹⁰ See, Human Rights Watch, *What Kabila is hiding* 1997, for a brief review of the fear of the Hutu refugees

The refugees were still being held hostage¹⁰¹¹ by the Hutu militias and the ex-FAR for the reasons articulated in Chapter 3 of this study. Breaking the hostage-ring of the refugee warriors onto the civilian refugees was a policy puzzle, and Kagame was of the view that it was necessary to identify the ``Hostage`` takers and separate them from civilian refugee populations if the return of the latter was to be ensured.¹⁰¹² Indeed as earlier as September 1994 Kagame was of the conviction that force was the only measure which was supposed to be applied if the civilian refugees were to be fled from their armed captors.¹⁰¹³ Granted is the view that the insecurity in Rwanda, where elements within the RPA and the Tutsi population persecuted the Hutus, stopped the Hutu refugees from repatriating. However, the intimidation of the refugees by the exiled Hutu extremist leaders and their military and militias undermined the more against refugee return to Rwanda.¹⁰¹⁴

It should be emphasised that even though theorisation about addressing the refugee warrior phenomenon is limited to the imperativeness a capable host state to disarm the refugee militants. The conditions were different for the militarised refugee phenomenon in a host country, Zaire, which was generally weak in all aspects of statehood. Policy precedents as regards the questions: How do you disarm the militants? Are they willing to be disarmed peacefully? If not willing to disarm peacefully, how do you disarm them by force with little collateral damage? Military solutions to refugee problems in the international domain are normally addressed by the concerned powerful countries; by militarily disabling the military capacity of the culpable state responsible for military and political machinations that lead to refugee generating situations. As earlier noted all the

¹⁰¹¹ See, 165578, in which it was reported that the hostage status of refugees was reaffirmed in the statement which was signed by 15 NGOs and released in Nairobi on November 3. The signatories included; MSF (Belgium, France, Holland) CARE (Canada, USA, UK, others), ARC, OXFAR UK, MDM, and IRC. The same statement also expressed support for the October 21, 1994 statement by the UNHCR which highlighted the plight of the refugees in the camps in Eastern Zaire. To the signatories refugees were under ``Hostage`` and they advanced (5) five issue areas which had to be dealt with if they were to continue with their humanitarian work. These included: separation of ring leaders (of the genocide of 1994) from the remaining refugees, removal of arms from camps and the establishment of adequate security for an independent registration, unimpeded delivery of assistance and ``Freedom of choice for refugees to repatriate.

¹⁰¹² 189327.

¹⁰¹³ 189360.

¹⁰¹⁴ 166083.

options which the International community was looking at had an element of a militarised mission and as earlier as November 1994 it had been noted that:

..., the International Organisation, and much less the Zairian authorities have never had control over the camps. Former officials in the Rwandan Government and military have always held real power. The former Rwandan interim government has lost the war, the government, and the territory; their hold over the refugee population remain(s) their last claim to power. There is no indication that they will willingly relinquish that control.¹⁰¹⁵

This pointed to an imperative of use of military force to literally liberate the civilian refugees from their refugee warrior captors.

Indeed, it is allegedly theorised that the military and political manoeuvres of the aggressive state leading to refugee situation are normally manifested in ethnic cleansing, genocide and harsh occupation. The punishments by the concerned states against the aggressor state usually range from aerial bombings, creation of safe zones, and enforcement of peace through military campaigns to a full scale war against the aggressor. Population bombardments are also countenanced; if that is what it takes to force the aggressor to realise the imperativeness of peace. This rubric was used during the military campaigns against Nazi-Germany, and Saddam Hussein's Baath Party Iraq in protection of the Kurds populations. But these methods can only work out when the aggressor can be targeted and the victim isolated.¹⁰¹⁶ For the Hutu refugee phenomenon in Zaire, the context was different; refugees were mingled with the aggressors; who through their machinations designed for political propaganda, held the refugees in bondage. Accordingly, Rwanda applied punitive military actions to a complex refugee situation, where bonafide refugees were intermingled with refugee warriors; the outcome was a disaster.

However, in the midst of those complexities, the Rwanda Patriotic Front led Government had two obligations: securing the frontiers of Rwanda from the incursions of the Hutu

¹⁰¹⁵ 165577.

¹⁰¹⁶ See, Barry R Posen, *Military Responses to Refugee Disasters*, International Security, Vol. 21, No. 1 (Summer, 1996), pp.72-111, The MIT Press, <http://www.jstor.org/stable/2539109>, accessed:05/02/2014 13:09.

refugee warrior, and protecting their Congo Tutsi cousins from the wanton violence of the Hutu warrior refugees, the Congolese Hutus and the armed forces of Mobutu's Zaire. The latter reason was used to disguise the former.¹⁰¹⁷ To the Rwandan authorities, sanity would never prevail in Rwanda when the militarised Hutu refugee camps were still intact. Eastern Congo refugee camps had not only to be pacified, but also be dismantled for the peace of Rwanda to prevail.

Early on, on October 22 1994, Deputy Assistant Secretary of State Prudence Bushnell had written to the Secretary of State indicating that the ex-FAR threat to Rwandan security had increasingly become overwhelming; that Rwanda would sooner than later engage in pre-emptive strikes. Bushnell summarised the security situations as follows:

In Goma, the ex-Rwandan Army (ex-FAR) has moved many of its troops to locations further west. Troop(s) presence is less noticeable in Tanzania; some ex-FAR troop(s) have moved from Goma down to Bukavu. Indications are mounting that ex-FAR command structures are intact and troops are training and/or preparing for some sort of move against Rwanda. While an all-out attack is unlikely the ex-FAR is believed to have the capability to conduct unconventional military activity to which the RPA is expected to respond forcefully. A pre-emptive strike by the RPA cannot be ruled out.

Indeed, as earlier as October 18th 1994, if we are to go by the cable which was sent from the USA Embassy in Rome, Kagame was particularly determined to attack the camps at the earliest opportunity.¹⁰¹⁸ He was however constantly dissuaded by the new Rwandan allies from the political west: the United States of America, The Netherlands and United Kingdom;¹⁰¹⁹ which Growing pejoratively referred to as the ``fan-club of sympathetic nations`` for to him they blindly supported Kagame despite his excesses when it came to

¹⁰¹⁷ See, Mahmood Mamdani, *African States, Citizenship and War: A case-study*, International Affairs (Royal Institute of International Affairs 1944-), Vol.78, No.3 (Jul., 2002), pp.493-506, Wiley, <http://www.jstor.org/stable/3095887>, accessed: 05/02/2014 12:59. Also see, Michael Deibert, *Congo: Between Hope and Despair*, World Policy Journal 2008 25:63, DOI:10.1162/wopj.2008.25.2.63, <http://wpj.sagepub.com/content/25/2/63.citation>. Also see, Human Right Watch, 1997, for a treatment of how what started as a Banyamulenge revolt in October 1996 when an order was passed and operationalised by the Deputy Governor of South Kivu, Lwasi Ngaba Lwabangi to the effect that on 7 October, 1996 Banyamulenge were required to leave Zaire within one week.

¹⁰¹⁸ 165247.

¹⁰¹⁹ Reyntjens, *The Great African War*, 2009. Also see, Reyntjens, *Rwanda, Ten Years on*, 2004.

observance of human rights.¹⁰²⁰ They were suffering from the ``guilt complex`` for having failed to stop the genocide and thus allowed a considerable measure of policy latitude to the RPF led government when it came addressing its security concerns.¹⁰²¹

To that effect, events during the build up to late 1996 however pointed to the resoluteness of Rwanda to put a determined fight against the Hutu refugee warrior phenomenon in the Congo. First, that President Kagame of Rwanda informed his western allies that his intelligence had picked clues indicating that the ex-FAR and other Hutu militias were planning heavy incursions into Rwanda from Goma and Bukavu areas of Eastern Congo. Two, that it was suspect of Rwanda to refuse to sign the Non-Aggressive pact of the Central African States during the Yaoundé summit of 8 to 10th July 1996. Three, that the build up to Rwanda's high intentions to attack Zaire coincided with the lifting of the arms embargo by the UN Security Council on 1st September, 1996, an embargo that had been put on Rwanda during the genocide period of 1994,¹⁰²² a matter which reflected the willingness of the Rwandan Western allies to allow Rwanda to bolster its security apparatus, a matter that explains why Rwanda's military incursions into Zaire were ``mildly criticised`` by the United as put by Desire Baloubi.¹⁰²³ Fourth, the whistle blowing communiqué of 17th June 1996 by the Rwandan refugee organisation, the Reassemblément pour la Démocratie et le Retour des Réfugiés (RPR) which indicated that military build-ups by Uganda, Rwanda and Burundi were being made in preparation for attacks on refugees camps; as Uganda tested the readiness of the Congo forces by attacking Bunangana township and Rwanda raided Kibumba refugee camp on 26 June. And fifth, it was also reported that by June 1996, Rwanda was training the Banyamulenge rebels using the territory of Burundi probably to disguise its intentions and that around 700-800 Rwandan soldiers withdrew from the ranks of the Rwandan army entering South Kivu.¹⁰²⁴ Though Rwanda continuously denied its intentions, the build-ups to the

¹⁰²⁰ Nik Growing *Dispatches from Disaster Zones: New Challenges and Problems for information management in complex emergencies: Omnious lessons from the Great Lakes and Eastern Zaire*, Paper Presented at the ``Dispatches from Disaster Zones`` conference, London, May 27-28.

¹⁰²¹ See, Reyntjens, *The Great African War*, 2009.

¹⁰²² Reyntjens, *The Great African War*, 2009, 69.

¹⁰²³ Desire Baloubi, *Scrambling for Africa Again*, Journal of Black Studies, Vol. 29, No.5, Special Issue: Political Strategies of Democracy and Health Issues and Concerns in Global Africa (May, 1999), pp.610-618, Sage Publications, inc, <http://www.jstor.org/stable/2645855>, accessed:05/02/2014 13:00.

¹⁰²⁴ Reyntjens, *The Great African War* 2009.

eventual war that was to see refugee camps overran and dismantled were as assertive and determined as the words of Kagame in his interview with the Journalist Francois Misser that:

“If another war must be waged, we shall fight in a different fashion, elsewhere. We are prepared. We are ready to fight any war and we shall contain it along the border with Zaire”.¹⁰²⁵

To the government of Rwanda, the “satisficing” security policy option was to attack the refugee camps, engage in battles with the refugee warriors as civilian refugees are forced to return home. From 1996 to 1997, Rwanda decisively pursued a military solution to the pacification of its Eastern border with Zaire. Indeed by the mid-1997, camps had been dismantled, and Hutu militants sent into disarray. The capacity of the militants to mobilise from Eastern Zaire had been generally vanquished. The study focuses itself on this period (1996-1997)¹⁰²⁶; for the plan was focused principally on the refugee warriors though it later became elaborate, going beyond a mere annihilation of the Hutu refugee threat to overthrowing their patron Mobutu, done in the name of thwarting a genocide against the Banyamulenge.¹⁰²⁷

However the cardinal objective of extinguishing the Hutu militant threat from the political security map of Rwanda was primary, and the strategy to realising it was elaborate. Briefly, the strategy was to: forge an alliance with the opposition against Mobutu’s government, wage a civil-war against the government of Mobutu; disguised as an uprising by the Congo native opposition military elements in Eastern Congo, fight Mobutu as you advance onto the Hutu refugee camps to destroy the warriors, and force the refugees to return home.

¹⁰²⁵ See, Reyntjens, *The Great African War* 2009.

¹⁰²⁶ It should be noted that Rwanda also engaged in more military campaigns in the Congo after 1997, but these can generally be mention in a sufficing manner as mercantilist war campaigns. Rwanda was later caught up in the catastrophe of war profiteering; obsessed with the acquisition of power and plenty using the resources of Congo. Studies have exhaustively discussed the imperialistic tendencies of Rwanda in the years that came after its campaigns against the refugee warriors.

¹⁰²⁷ Mahmood Mamdani, *African States, Citizenship and War* 2002, also see, Sallie Simba Kayunga, *Challenges facing Kabila Government of the “Democratic” Republic of the Congo*, Paper DSP No.1/1997/98, Department of Political Science & Public Administration, Makerere University, 15 October 1997.

It should be emphasised that the primary logic of the first Congo war (1996-1997) was the quest by Rwanda to secure its Western border with Congo from the incursions of the refugee warriors who were hiding in the Hutu refugee camps in Eastern Congo. The logic extended to overthrowing Mobutu and it is principally the entry of Angola into the war architectural map that changed the logic of the war; from the logic of the pacification of the Eastern Congo refugee camps to the logic of overthrowing Mobutu, who was seen as the patron of the Hutu warriors. But predominantly to the original logic of the war was manifest as the Rwandan forces and the Congo allies, in their military engagements, they moved along the pathways of the Hutu refugees who were moving westwards into Congo as they annihilated them.¹⁰²⁸ Mamdani writes that their move forward was like that of ``molten lava`` from a volcano; scorching any living organism it come across.¹⁰²⁹

However, the Rwandan logic of the Congo war was also coupled with the security interests of other actors. For instance Angola was worried of the unceasing support which Mobutu was giving to the Savimbi UNITA rebels and it would have been safer to away with Mobutu, and needless to mention that the first Congo war campaign was generally driven by the logic of a somewhat security dilemma by Uganda, Rwanda,¹⁰³⁰ Burundi and to an extent Angola.¹⁰³¹ For Uganda it was the security concern of the Allied Democratic Forces (ADF), to Rwanda it was the ex-FAR and the interahamwe militias, and to Burundi it was the (CNDD-FDD) rebels; all hiding in Eastern Congo and finding a political patron in the government of Mobutu. The subsequent campaigns were apparently driven by the logic of mercantilism, and have been variously described as economic war manoeuvres.

The economic logic of the subsequent wars which started in 1998 has been a central thesis to a number of scholarly writings. A great analytical service, and it is summarised

¹⁰²⁸ See, Turner, *The Congo Wars*, 2007.

¹⁰²⁹ Mamdani, *African States, Citizenship and War*, 2002.

¹⁰³⁰ For a detailed treatment of this system of things, see, Phillip Reytenjens, *Briefing: The Second Congo War: More than a Remake*, African Affairs, Vol. 98, No.391 (Apr., 1999), pp. 241-250, Oxford University Press, <http://www.jstor.org/stable/723629>, accessed: 05/02/2014 12:36.

¹⁰³¹ Christopher Williams, *Explaining the Great War in Africa: How Conflict in the Congo Became a Continental Crisis*, The Fletcher Forum of World Affairs, Vol. 37:2 Summer 2013 notes that the Congo war: ... was stimulated by the operation of the security dilemma and the formation of a large and complex network of alliances that resulted from this security dilemma. Both the logic of the first and second Congo War clearly fit into the framework of William's statement.

briefly herein, has been done to this episode (1998--) in the history of the war-stricken Congo. Phoebe N Okowa discusses the legalistic dimension of invasion of Congo by Rwanda and Uganda and the resource exploitation that formed the logic of the invasion.¹⁰³² John F. Clark in a volume which he edits, places the Congo wars within the analytical framework of global political economy, noting how the exploitation of Congo and the war-technologic manifested a global economic greed and a capitalistic conspiracy of a special kind. It is noted that the involvement of imperial regional governments like Uganda and Rwanda on one side and Angola, Zimbabwe, Chad Sudan on the other, coupled the catastrophe of the silence of the global power like the United States and the bankrolling of the war machinery by the multinationals who continued to buy the illicit minerals on black-market; all formed the malignant logic of the Second Congo War and its episodes of carnage in all its complexities.¹⁰³³

Koen Vlassenroot and Timothy Raeymaekers, also sustain the discourse of how Congo security crises were fuelled by foreign economic interests. Stephen Jackson particularly explains the Congo crisis in light of a conspiracy to exploit Congo resources by other countries particularly Rwanda, Uganda; with multinationals and foreign powers through sustenance of conflicts and criminality in the Kivu region of Congo Zaire. Jackson further provides a little briefly the impact of the exploitation on the psychology of the Congo natives. This is portrayed quite clearly by his selection of the Christmas sermon of the then Bishop of Bukavu, Msgr. Kataliko, thus:

“The Congolese People are obliged to resist, because our riches are being looted by foreign powers with the complexity of a Congolese elite”¹⁰³⁴

¹⁰³² See, Phoebe N Okowa, *Congo's War: The Legal Dimension of Protracted Conflict*, 2007

¹⁰³³ See, John F. Clark, ed., *The African Stakes of the Congo War* (New York, Palgrave Macmillan, October, 2004).

¹⁰³⁴ See, Stephen Jackson, *Making a Killing: Criminality & Coping in Kivu War Economy*, Review of African Political Economy, Vol. 29, No. 93/94, State Failure in the Congo: Perceptions & Realities (Le Congo entre Crise et Regeneration) (Sept.-Dec, 2002), pp.516-536, Taylor&Francis,Ltd, <http://www.jstor.org/stable/4006794>, accessed: 05/02/2014 12:58., also see, Stefaan Smis and Theodore Trefon, Congo: *Waiting for Godot*, Review of African Political Economy, Vol. 30, No. 98, Zimbabwe out in the cold? (Dec, 2003), pp.671-678, Taylor&Francis., <http://www.jstor.org/stable/4007019>, accessed:05/02/2014, 13:18., noting that beneath the ethnic crisis in the Eastern Congo are a diversity foreign influences profiteering from the chaos and sustaining it as a way of conserving their economic interests in the region, particularly in natural resources. To them the ethnic tensions then in Eastern Congo

Indeed the Bishop was referring to other countries that were benefiting from the wealth of Congo at the expense of the Congolese. It is this scheme of things that Ola Olsson and Heather Congdon Fors put as war-mongering in a predatory manner; bordering on greed which was manifested in the seeking of natural resource rents by countries in the region particularly Uganda and Rwanda that initially had genuine grievances accruing to Hutu refugee warriors in the camps of Kivu in Eastern Congo;¹⁰³⁵ a logical conclusion that is also sustained by Christopher R. Cook in his precise account of how economic interests, which were manifested in the quest for minerals particularly diamonds, informed the logic of the second Congo War though the media underreported such issues.¹⁰³⁶ The analysis of Olsson and others obtains from Paul Collier's rather popular theorisation about conflict as a result of greed and grievance, and Johan Pottier is not pretentious in his assertion that the apparent causes of the civil war in Rwanda and its extension in Zaire, that were reduced to ethnicity, were just a scapegoat of the underlying reasons which to him lay in ``the modern struggles for power and wealth``.¹⁰³⁷ It is Pottier's treatment that brings out clearly the logic of the political- economic nature of the Rwandan and Congo catastrophe to bear.

Still on the summary of the analysis of causes of the subsequent Congo wars, Mwesigwa Baregu gives a historical treatment to the Congo Wars noting how the territory of Congo has been a victim to the imperialistic-cum-mercantilist schemes of foreigners; a phenomenon dating to the Belgium rule of the Leopold Congo, and to him Congo wars were just continuity-continuous phenomena in the plunder of a nation.¹⁰³⁸

It is Phillip Reyntjens who explains the logic of the Congo wars in specific reference to Rwanda. He notes that the security dilemma of Rwanda as a result of Hutu refugee

particularly between the Hema and Lendu during the late 1990s and early 2000s was a result of ``instrumentalisation of ethnicity`` to facilitate the exploitation of natural resources.

¹⁰³⁵ See, Ola Olsson and Heather Congdon Fors, *Congo: The Prize of Predation*, Journal of Peace Research, Vol.41, No.3 (May, 2004), pp. 321-388, Sage Publications, Ltd, <http://www.jstor.org/stable/4149749>, accessed:05/02/2014.

¹⁰³⁶ Christopher R. Cook, *Diamonds and Genocide: American, British and French Press Coverage of the Second Congo War*, SAGE Open 2013 3: DOI: 10.1177/2158244013495051, <http://www.sgo.sagepub.com/content/3/3/2158244013495051>.

¹⁰³⁷ See, Johan Pottier, *Re-imagining Rwanda, Conflict, Survival and Disinformation in the late Twentieth Century*, (United Kingdom, Cambridge University Press, 2002).

¹⁰³⁸ Mwesigwa Baregu, *The Clones of ``Mr. Kurtz``: Violence, war and Plunder in the DRC*, Afr.J.Polit.Sci (2002), Vol 7 No.2.

warriors culminated into the strategy “plunder” of Congo resources by Rwanda,¹⁰³⁹ a thesis which he had earlier alluded to briefly in 1999.¹⁰⁴⁰ Rwanda figures in mineral production went high in the wake of the second Congo war.¹⁰⁴¹ And Stein Sundstol Eriksen delineates the extent to which Rwanda profited from its subsequent military involvement in Congo beyond the 1996-1997 clear cut campaign against the Hutu refugee warriors. He notes that a complete withdraw of Rwanda both in influence and presence in Congo would have impacted rather astronomically on its income, and therefore it was economically prudent for Rwanda to maintain its presence after all as President Kagame allegedly observed that earlier military campaigns were self financing,¹⁰⁴² as a way of pointing to the economies of scale that came with the exploitation of the natural resources of Congo.

The International Crisis Group in reference to the exploitation of the resources of Congo by an array of actors observed that: “You never Finish Eating the meat of an elephant”, a title it gave to chapter IV of that particular report.¹⁰⁴³ And if inference can be made; the interests of Rwanda in Congo after the first invasion that was generally meant to literally weed-out the Hutu refugee warriors; were generally mercantilist. They were aimed at the acquisition of “power and plenty”¹⁰⁴⁴ using military power to gain economic power and subsequently enjoy the mutually reinforcing nature of the two levels of power.

¹⁰³⁹ See, Koen Vlassenroot and Timothy Raeymaekers, *The Politics of Rebellion and Intervention in Ituri: The Emergence of A New Political Complex?*, African Affairs, Vol.103, No.412 (Jul., 2004), pp.385-412, Oxford University Press, <http://www.jstor.org/stable/3518563>, and Filip Reyntjens, *Rwanda, Ten Years on: From Genocide to Dictatorship*, African Affairs, Vol. 103, No.411 (Apr., 2004), pp.177-210, Oxford University Press, <http://www.jstor.org/stable/3518608>, accessed:05/02/2014 12:40.

¹⁰⁴⁰ See, Filip Reyntjens, *Talking or Fighting? Political Evolution in Rwanda and Burundi, 1998-1999*, Current African Issues No.21, Nordiska Afrikainstitutet 1999.

¹⁰⁴¹ See, Stephen Jackson, *Making a killing: Criminality&Coping in the Kivu war economy*, Review of African Political Economy, Vol. 29, No. 93/94, State Failure in the Congo: Perceptions &Realities (Le Congo entre Crise et Reperation) (Sept-Dec, 2002), pp. 516-536, Taylor&Francis, Ltd, <http://www.jstor.org/stable/4006794>, accessed: 05/02/2014.

¹⁰⁴² Stein Sundstol Eriksen, *The Congo War and the Prospects for state Formation: Rwanda and Uganda Compared*, Third World Quarterly, Vol. 26, No. 7 (2005), pp.1097-1113, Taylor &Francis Ltd, <http://www.jstor.org/stable/4017806>, accessed:05/02/2014.

¹⁰⁴³ International Crisis Group, *The Kivus: The Forgotten Crucible of the Congo Conflict*, Africa Report No. 56, Nairobi/Brussels, 24 January 2003.

¹⁰⁴⁴ See, Jacob Viner, *Power Versus Plenty as Objectives of Foreign Policy in the Seventeenth and Eighteenth Centuries*, in Jeffry A Frieden, eds., David A Lake, *International Political Economy; Perspectives on Global Power and Wealth* (New York: St. Martin's Press, 1987), as he gives a treatment of the mechanism which the developed countries like Spain and the United Kingdom used to attain wealth. Military means were part of the discourse.

So Rwanda's second involvement in the Congo obtained much from the logic of economic nationalism. To Gilpin the central logic of economic nationalism is that: economic activities are and should be subordinated to the goal of state building and the interests of the state.¹⁰⁴⁵ The Rwandan state was cognizant of that logic. But for the sake of conceptual density this chapter limits itself to the logic of the first Congo war, and particularly on the extent to which the logic of conserving state security gave way to the logic of sacrificing refugee security as an extension of the heuristic definition of human security.

¹⁰⁴⁵ Gilpin, *The Politics of International Economy* (Princeton, NJ: Princeton University, 1987):31

5.1.3 The Logic of Sacrificing Human Security at the altar of State Security: The enduring nature of political realism.

Accordingly, the war started in late 1996 and at first it was disguised as an uprising by the Banyamulenge people who were being persecuted by the Congolese authorities and constantly attacked by the Hutu refugees and the Congo native Hutus.¹⁰⁴⁶ Rwanda had to disguise its violent entry into Congo because direct incursions would have meant an abuse of the international norm of sovereign integrity.¹⁰⁴⁷ The decision of Rwanda to disguise the war as a Congo native affair was generally belied by the logic of the war tactics. What was more telling of the role which Rwanda had played in the scheme to overthrow Mobutu as a nationalistic concern that was meant to overshadow the extermination of the Hutu warrior refugee threat was the fact that at the end of the war, James Kabarebe, a Colonel in the Rwandan army, and the Minister of Defence at the time of writing this Chapter, became the Chief of Staff of the Armed Forces of Congo.¹⁰⁴⁸ The Human Rights Watch reported that Kabarebe, accordingly to the USA Embassy in Kinshasa, was perceived as the ``most powerful commander in Congo and a principal strategist during the seven months war``.¹⁰⁴⁹ Indeed, it is Kabarebe, the then Commander of Army Operations in Rwanda, 1994-1997, that mobilised the different Congolese opposition groups to come together to wage a war against Mobutu. Commenting about how he brought the Congolese opposition groups together, Kaberebe observed:

Amongst themselves they didn't know each other, so at least for the first time, someone from Rwanda had to help to make them meet. I introduced each of them and I introduced the agenda which was the liberation of Zaire and the war against Mobutu. They were happy. I think they were happy to meet (sic).¹⁰⁵⁰

Indeed Deogracias Bugera the then leader of the then Democratic Alliance of Peoples (Alliance Democratique des peuples, ADP) a Tutsi opposition group which became an

¹⁰⁴⁶ See, Kayunga, *Challenges facing the Kabila Government*, 1997. See, United Nations Security Council, 1998: 31-36, for a detailed treatment of how the entry of the Hutu refugees in Eastern Zaire complicated the already fragile ethnic complexion.

¹⁰⁴⁷ Reyntjens, *Briefing: The Second Congo War*, 1999

¹⁰⁴⁸ See, Reyntjens, *The Great African War*, 2009, Turner, *The Congo Wars* 2007, and also see, Human Rights Watch *What Kabila is hiding*, 1997.

¹⁰⁴⁹ Human Rights Watch, *What Kabila is hiding*, 1997, 41.

¹⁰⁵⁰ Friends of the Congo, *James Kabarebe—Rwandan Minister of Defense-Speaks of the ...*, <http://www.youtube.com/watch?v=mECN7JSsnxy>, accessed on: 22/03/14, 14:27.

integral part of the Alliance des Forces Democratiques Pour La Liberation du Congo, AFDL, observed that before the meeting which took place in Kabarebe's office, the former had never met Kabila who became the overall Spokesperson and leader of the AFDL. In his words:

That day in James Kabarebe's office. I arrived with my team of ADP and later there was a military jeep that arrived with two men first. It was Kabila. It was the first time I saw him physically. I saw a man who was wearing sandals and an old man who seemed to limp with a shaved head and I said to myself: 'This is him, Kabila'¹⁰⁵¹

So, Rwanda instigated an insecurity dilemma to execute a security dilemma scheme. Indeed, the war began as a Banyamulenge attempt for self defence, and later formalised as a nationalistic struggle than a tribal endeavour as other Congo opposition elements were brought onto board. An Alliance of Democratic Congo Forces (Alliance des Forces Democratiques pour la Liberation du Congo, AFDL) was forged as an amalgamation of the People's Revolutionary Party (Parti de la Revolution populaire (PRP) headed by Laurent Desire Kabila, National Resistance Council for Democracy (Conseil national de resistance pour la democratie, CNRD), Lumumbist guerrilla groups which were being led by Andre Kisase Ngandu, Democratic Alliance of Peoples (Alliance Democratique des peuples, ADP) a Tutsi opposition group which was being led by Deogratias Bugera, and the Revolutionary Movement for Liberation of Zaire (Movement Revolutionnaire pour la liberation du Zaire, MRLZ) an amalgamation of the Shi and other small groups in South Kivu region with Masasu Nindaga at the helm.¹⁰⁵² However Simba Sallie Kayunga part from indicating that that the Alliance of Democratic Forces for Liberation of Congo-Zaire was formed on 18th October 1996 at Lamera, South Kivu; he also adds more groups onto the list of the armed groups which comprised the ADFL to include the Hunde and Ngilima Mai Mai of North Kivu who were part of the 1960s nationalist and Marxist

¹⁰⁵¹ Friends of the Congo, *James Kabarebe—Rwandan Minister of Defense-Speaks of the ...*, <http://www.youtube.com/watch?v=mECN7JSsnxy>, accessed on: 22/03/14, 14:27.

¹⁰⁵² See, Turner, *The Congo Wars* 2007, Reyntjens, *Briefing: The Second Congo War*, 1999. Also see, Michael Deibert, *Congo: Between Hope and Despair*, World Policy Journal 2008 25:63, DOI:10.1162/wopj.2008.25.2.63, <http://wpj.sagepub.com/content/25/2/63.citation>, delineating how an alliance of Congo opposition groups to Mobutu's regime were mobilised under the aegis of Rwanda, Uganda and Burundi to launch a determined insurgency to oust Mobutu.

guerrilla struggles of Patrice Lumumba who was later succeeded by Pierre Mulele, the deserters of the Forces Armee Zairos (FAZ) and the Gendarmerie, the local recruits from rebel held areas and the former Katangese soldiers who had fled to Angola when their struggle for the secession of Katanga aborted.¹⁰⁵³ A Rwandan affair was given a watermark of a generally Congo affair.

Indeed, it is Kabarebe, the Rwanda Commander that informed Kabila about the takeover of Kinshasa. In his words, he remembered that:

(He) I called Kabira on his statellite phone. I told him we had captured. He said 'You're sure?' He was very excited. He laughed, he was very happy. I said 'everything is finished. You can come'. He repeated 'you're sure? Are you sure?'.¹⁰⁵⁴

Also, President Paul Kagame is reported to have stated in July 1997, without circumlocution, that Rwanda planned and executed the rebellion against Mobutu but to give it a Congolese nationalistic orientation; Rwanda literally co-opted the Congo opposition groups which were opposed to Mobutu.¹⁰⁵⁵ Kayumba Nyamwasa, the then Chief of Staff of the Rwandan Army revealed that:

The whole issue was to bring all these Congolese who had come from different background and find a way to band them together. So, we put them together to organise a political movement able to articulate a program and even justify the war that was going on in Congo.¹⁰⁵⁶

Kabarebe, the Rwandan Military Officer who commanded the forces which overthrew Mobutu was precise in articulating the pivotal role which Rwanda played in the first Congo war. He articulated that:

¹⁰⁵³ Kayunga, *Challenges facing the Kabila Government*, 1997.

¹⁰⁵⁴ Friends of the Congo, *James Kabarebe—Rwandan Minister of Defense-Speaks of the ...*, <http://www.youtube.com/watch?v=mECN7JSsnxy>, accessed on: 22/03/14, 14:27.

¹⁰⁵⁵ See, Reytenjens, *The Great African War* 2009, Turner, *The Congo Wars* 2007/2007.

¹⁰⁵⁶ Friends of the Congo, *James Kabarebe—Rwandan Minister of Defense-Speaks of the ...*, <http://www.youtube.com/watch?v=mECN7JSsnxy>, accessed on: 22/03/14, 14:27.

Rwanda provided the bulk of troops that enabled the conquest of Zaire. But other countries in the region also did a lot to help Kabila conquer the country and seize power. So on the day of the inauguration they were all there to physically show their support for the new President.¹⁰⁵⁷

But the logic of the first Congo is particularly put succinctly by the United Nations Secretary General's Investigative Team into violations of human rights in the DRC during the war. The report partly reads:

There was in effect a convergence of two conflicts both of which were essentially internal- one between the AFDL and government of Zaire, the other pitting the Government of Rwanda against remnants of former armed forces of Rwanda and the allied armed political militia the Interahamwe, taking place largely in the territory of a neighbouring state. The two conflicts were closely intertwined with the forces of AFDL and Rwandan army in particular, often acting as a single force.¹⁰⁵⁸

So, whereas the war indicated the convergence of the state securities, although in different dimensions (Rwanda securing its state security from the Hutu refugee warriors, but at the expense of the security of the Zairian state led then by Mobutu), the war, in its outcomes, indicated a somewhat divergence of state security and human security along the continuum of policy options to secure the state of Rwanda. But towards Zaire, the war indicated a convergence of human and state security along the continuum of the causes of war; for the mix of Hutu refugees, the former Hutu soldiers and former government officials; served to fuel the aggression of the Rwandan Government against refugee warriors, which attacks, sought to dismantle the camps subsequently leading to an onslaught against the Mobutu regime in Zaire.

Besides the capitulation of Kagame on the leadership role which Rwanda played in the overthrow of Mobutu; there are other leading- lines which point to the near fact that the Congo of 1996-1997, was for all intent and purpose a Rwandan affair. Filip Reyntjens

¹⁰⁵⁷ Friends of the Congo, *James Kabarebe—Rwandan Minister of Defense-Speaks of the ...*, <http://www.youtube.com/watch?v=mECN7JSsnxy>, accessed on: 22/03/14, 14:27.

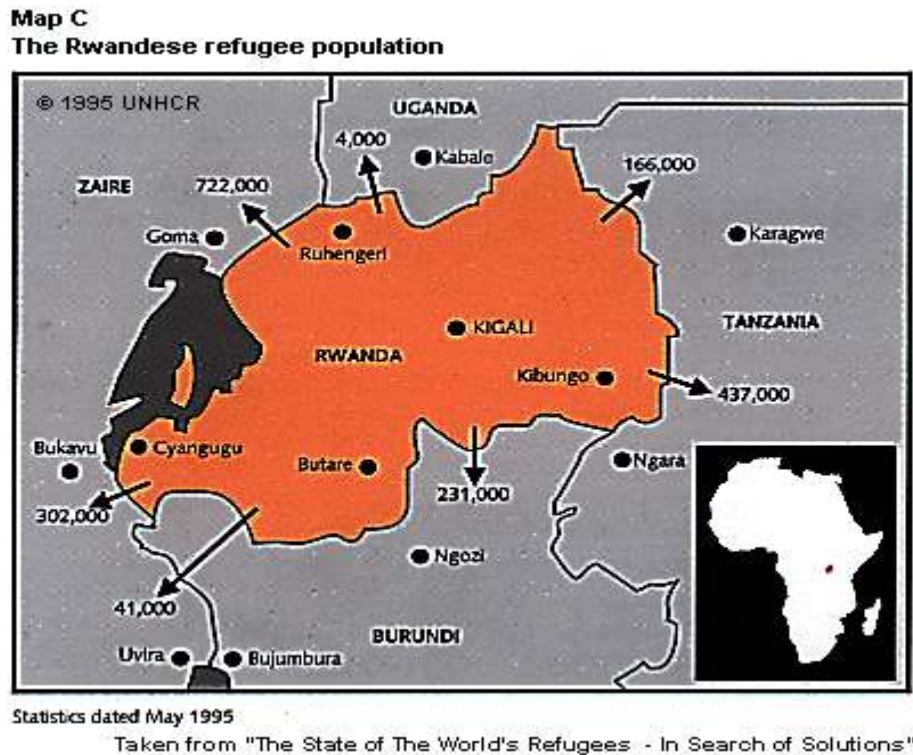
¹⁰⁵⁸ United Nations Security Council, 1998:12

breaks the 1996-1997 war periods into two categorical phases: the first phase which entailed the attacks on Camps; which he puts into the period of autumn 1996, and the second phase which he puts in spring 1997.¹⁰⁵⁹ But the objective was extinguishing the Hutu refugee warrior phenomenon from the security map of Rwanda, or at least to substantially undermine its strength. For instance the strategic movement of the forces was generally aligned to the core objective of Rwanda to pacify its Eastern Frontier with Zaire by destroying the Hutu refugee encampments. The war meticulously traversed the line of the location of the refugee camps, and incursions inside Congo also moved in accordance to the secondary movement of refugees who had escaped from the destroyed camps at the periphery of Eastern Congo-Rwandan border as they moved westwards into the interior of Congo and further into the countries sitting at the western borderline of Zaire.

Architecturally, the Refugee camps were situated in the areas around Goma, Bukavu and Uvira. In the Goma area, some camps were situated along the road running North of Ruthuru, and these were the refugee camps of Kibumba, Kahindo, and that of Katale. Others were situated along the road which was running west from Goma to the Town of Sake, and these were the Mugunga camps which hosted approximately 22,000 ex-FAR soldiers, and that of Kituku were several refugees. The UNHCR refugees map clearly indicates the location of refugee camps and Hutu refugees as follows:

¹⁰⁵⁹ Filip Reyntjens, *The Great African War*, 2009).

Adopted Map 4: Map indicating the movement of Rwandan Refugees in the aftermath of the genocide



In Bukavu area there were twenty six sites on which smaller camps sat along the three roads; one running to the North, the second running to the South East in the direction of Uvira town and the third running to the South West of Buvaku. In Bukavu were particularly the camps of Panzi which was sitting a few kilometres South East of Bukavu and Bulonge which was 100 kilometres to the Southwest of Bukavu. These two encampments were hosting approximately 11,000 ex-FAR soldiers. It was Bukavu which was hosting the majority of the self-exiled elites of the former interim genocide government of Rwanda. It was reported that even the former President together with his ministers had settled in Bukavu areas given the fact that the Provincial government of Bukavu was ``vocally supportive of the Hutu cause``. Indeed the former Justice Minister was publishing his anti-RPF pamphlet and it was on sale in the kiosks of the Bukavu Township.

Although the militias prevented the UNHCR from registering the refugees in the camps, by November 1994, it had been estimated by the UNHCR officials that 815,000 refugees

were in the Goma area with 740,000 in the designated encampments; 330,000 refugees were in the camps around Bukavu, and that the Uvira camps hosted most Burundian refugees.¹⁰⁶⁰ Therefore it was not by accident that the war of 1996-1997 in Congo strategically traversed all the camp areas before it proceeded elsewhere. The logic of the war was informed by the need to dislodge the refugee warriors from camps and force the civilian refugees to repatriate to Rwanda.

Accordingly, the tactic was to dismantle the camps, force refugees to return to Rwanda and follow those who refuse to return until they are exterminated. As such the first town to be taken over by the ``Banyamulenge`` was Uvira of South Kivu and within its vicinity were a number of refugee camps.¹⁰⁶¹ When Uvira fell on 28th October, Bukavu fell on 30th October 1996, and camps within the vicinity of the two areas were systematically attacked. Camps around Uvira were attacked on 21st October 1996; forcing the Hutu refugees from Burundi and Rwanda to flee. The Bukavu camps were attacked from Rwanda during the period of 25th and 26th October 1996. Starting 21st October, 1996, camps around the North of Goma were systematically attacked starting with Kibumba refugee camp on 21st October, Kahindo on 23rd October, Katale on 26th October, and Mugunga, a camp which was hosting approximately 600,000 refugees and acting as a reception centre for the refugees who were vacating the violence in other camps, was attacked at the end of October, 1996.

Masisi and Butembo fell to Rwanda and the allied forces on 20th and 27 November respectively. The Uganda People's Defence Forces captured Bunia on the Christmas Day of 1996. This saw the creation of buffer zones covering the Ugandan, Burundian and Rwandan borderline; for 800 kilometres in length and 100 Kilometres in the depth of Congo Zaire.¹⁰⁶² But after the capture of Bukavu; the war moved north and west wards taking the direction of the refugees who engaged in secondary movements. Massacres occurred at Shanje camps in Goma; Shabunda camps between December 1996 and January 1997; at Tingi Tingi between February 28 and March 1; Kisangani area during late March; Equateur Province, particularly the Wendji-Mbandaka Massacre of 13th May

¹⁰⁶⁰ 165577.

¹⁰⁶¹ Turner, *The Congo Wars* 2007. Also see, Kisangani, *The Massacres of Refugees in Congo*, 2000.

¹⁰⁶² Reytenjens, *The Great African War*, 2009.

1997, and the forces subsequently entered into Kinshasa on the night of Wednesday 14 May 1997 and on Friday 16th May 1997, Mobutu left the country.¹⁰⁶³ This depicts that the logic of the war was informed by the need to extinguish not just the Hutu military threat but even the Hutu refugee threat; for the civilian refugees were perceived as potential members and future combatants.

So the direction of the war, that was at first denied by Rwanda as a purely Congo affair, was following the path-of-the-camps and inference can be made that the war followed the logic of disabling the core pillar of the Hutu militants, that is to say: the refugee camps. Refugee camps in the context of the Hutu refugee warriors were the ``critical nodes`` or the ``Centers of gravity`` which had to be dismantled for Rwanda had adopted the logic of a military approach to the Hutu refugee phenomenon in Eastern Congo.¹⁰⁶⁴ But whereas no one would have imagined the ``punitive bombing`` of ``critical nodes`` during the genocide in Rwanda; for the victims and the assailants were mingled¹⁰⁶⁵, in the same regard nobody would have imagined the bombing of camps as a mechanism of disabling the Hutu refugee warriors as the aggressors and the civilian refugees were mingled. The choice of the frame of action by Rwanda depicted the conflicting nature of human security concerns and state security concerns along the continuum of thwarting a resurgence of violence in post-conflict situations. The study delineates how human security concerns were undermined by Rwanda and its allies in the quest for greater state security.

Systematically, even after dismantling the camps, the direction of the war shifted westwards in the direction of the secondary movement of the refugees. Indeed when the Rwandan forces together with its Congolese allies attacked camps around Goma in the middle of November; leading to the dismantling of camps, there was a massive return of refugees to Rwanda, approximated at around 500,000 to 700,000 refugees, just within

¹⁰⁶³ See, United Nations Security Council, 1998.

¹⁰⁶⁴ Explaining the military option to refugee generating situations Posen, 1996 notes that bombing of ``critical nodes`` or ``centers of gravity`` may be adopted as a strategy to weaken the aggressor causing the people to flee into refuge. ``Critical nodes`` are therefore explained as the modern sources of power on which a society depends socially, economically and politically. They include power generation, telephone and communications systems, radios and television, major bridges and water supply systems; that if they are destroyed then the aggressor government can be disabled into submission to stop refugee generating activities like ethnic cleansing as it was with former Yugoslavia.

¹⁰⁶⁵ See, Posen, 1996.

four days: between 15th to 19th November.¹⁰⁶⁶ Amnesty International put the number of refugees who returned to Rwanda at approximately 700,000 by November 1996.¹⁰⁶⁷ The Human Rights Watch puts the number at approximately 600,000.¹⁰⁶⁸ So, the 500,000-700,000 figure of Kisangani is instructive to summarise the range in which the majority of the approximations fell. It should be mentioned earlier enough that during the initial attacks on the refugee camps which led to the massive return to Rwanda, many civilian or bonafide refugees were killed, first as collateral damage as the ex-FAR and the Interahamwe engaged the Rwandan forces and that Congolese allies, and second as a result of the killings by the ex-FAR meant to stop the refugees from returning to Rwanda.¹⁰⁶⁹

The logic of the subsequent attacks on refugees who continued moving westwards should be understood within the context of the declaration which Rwanda made to the effect that majority of the refugees had returned to Rwanda and that the need for international humanitarian intervention had been overtaken by events; a matter which led to the rescinding, in December, 1996, of United Nations Security Council Resolution 1080 (1996) which had approved humanitarian intervention by the Security Council which had been taken on 15th November, 1996.¹⁰⁷⁰ But even if the intervention was to stand; the guidelines which had been adopted by the UN Security Council on November, 1996 to guide the operations of the Canadian-led multinational force; were not clear on the *modus operandi* of demilitarising the camps, after all United States and Canada had started categorically that the mandate of the intervention would not include the separation of Hutu refugee warriors from genuine refugees, the civilians.¹⁰⁷¹ The mandate of the force was to be expressly humanitarian as follows:

¹⁰⁶⁶Kisangani, *The Massacres of Refugees in Congo*, 2000.

¹⁰⁶⁷ Amnesty International, ``DRC: Deadly Alliances in Congolese Forests`` AFR 62/33/1997. December 1996.

¹⁰⁶⁸ Human Rights Watch, *What is Kabila Hiding*, 1997.

¹⁰⁶⁹ Human Rights Watch, *What is Kabila Hiding*, 1997.

¹⁰⁷⁰See, Kisangani, *The Massacres of Refugees in Congo*, 2000. Amnesty International, ``DRC: Deadly Alliances in Congolese Forests`` AFR 62/33/1997, December 1996.

¹⁰⁷¹ Washington Office on Africa, *Central Africa Intervention must not Reinforce Hutu extremists or Mobutu Regime*, Review of African Political Economy, Vol.23, No.70(Dec., 1996), pp. 576-579, Taylor&Francis, Ltd, <http://www.jstor.org/stable/4006352>, accessed: 05/02/2014 12:09.

(The United Nations Security Council) Welcomes the offers made by Member States, in consultation with the States concerned in the region, concerning the establishment for humanitarian purposes of a temporary multinational force to facilitate the immediate return of humanitarian organizations and the effective delivery by civilian relief organizations of humanitarian aid to alleviate the immediate suffering of displaced persons, refugees and civilians at risk in eastern Zaire, and to facilitate the voluntary, orderly repatriation of refugees by the United Nations High Commissioner for Refugees as well as the voluntary return of displaced persons, and invites other interested States to offer to participate in these efforts.¹⁰⁷²

Earlier, on 22nd October 1996, as Rwanda and its Congolese allies unleashed military attacks onto the refugee camps around Bukavu and Uvira; the Rwandan Foreign Ministry released a communiqué calling on the refugees to return to Rwanda in order to survive the vagaries of war. The call was also reiterated on 22nd October, 1996, by Sadako Ogata the then United Nations High Commissioner for Refugees, and it was aired on Radio stations. Phyllis Oakley, the then Assistant Secretary of State for Refugee migrations in the United States government was in support of the move of ceasing humanitarian assistance to refugees with an objective of forcing their return.¹⁰⁷³ United States is said to have provided key political support to Rwanda authorities in their attempt to literally uproot the Hutu refugee military threat. It was observed that the US-Military provided training and assistance to the Rwandan forces during their incursions onto the Congo territory. It is reported that Paul Kagame, the then Defence Minister and Vice President of Rwanda acknowledged in July 1997 that the United States and the United Nations officials were in the know of the plans of Rwanda to invade the then Zaire; with an objective to dismantle the refugee camps and annihilate the Hutu refugee warriors (the ex-FAR and the Interahamwe). It was reported in *The People*, a Ugandan News Paper basing on a press release from the Spokesman of the Rally for the Return of Refugees and Democracy in Rwanda (RDR) that the Pentagon and British intelligence services had seen and approved the plan for the violent attacks on the Hutu refugee camps which had

¹⁰⁷² United Nations Security Council, Resolution 1080(1996), Adopted by the Security Council at its 3713th Meeting on 15 November 1996, Distr. General, S/RES/1080 (1996), 15 November 1996:2

¹⁰⁷³ Reyntjens, *The Great African War*, 2009.

been scheduled to start in June 1996, but to reschedule the implementation when the plan leaked.¹⁰⁷⁴ The Newspaper was not rebuked for blackmail although it was operating in Uganda, a country which was then a strong ally to Rwanda. USA consistently denied that it was in the know of the invasion, but only to be betrayed by the denouncing of the Rwanda invasion by the USA Embassy in Kinshasa in January 1997. The USA was also literally lukewarm in its condemnation of the abuses of human rights in Eastern Zaire during the war, and that, allegedly though; the USA forces were spotted from time to time during the course of the war in Zaire as they offered training instruction to RPA forces. It was also reported that USA forces were usually cited in Zaire during the period November 1996 and August 1997. That they were equally seen in the villages of Walikale and Kanyabagonga in North Kivu on July 23 and July 24, 1997, and were seen in August 1997 in the areas of the Rwenzori side of Congo accompanying Ugandan soldiers. The USA soldiers wherever they were cited; they were in military uniforms and carrying the USA insignia.¹⁰⁷⁵ As France and Spain proposed a multinational force to contain the massacre of refugees in early November 1996, and later in March 1997, other members of the international community particularly the United Nations officials were cynical of the intentions of France. It is also reported that senior ranking officers; namely; Belgian Secretary of State for Development Cooperation, Reginald Moreels; European Union Humanitarian Commissioner, Emma Bonino and UN and OAU Special Envoy Ambassador Mahmoud Sahnoun denounced the massacres but their denouncements were of no consequence.¹⁰⁷⁶

During a field visit to Rwanda, the researcher decided to put the question of the involvement of the Americans in the Rwandan scheme of the attack on refugee camps and the final onslaught on the Mobutu regime. A former RPA Lieutenant, who served in Congo (1996-2001) now a petty businessman in Nyabugogo suburbs of Kigali, who was identified by the researcher through a Banking officer who had his file on the business loan financial obligation he had with that particular bank, was frank when he said that:

¹⁰⁷⁴ The People, *Too little, too late for Rwanda refugees*, May 07, 1997.

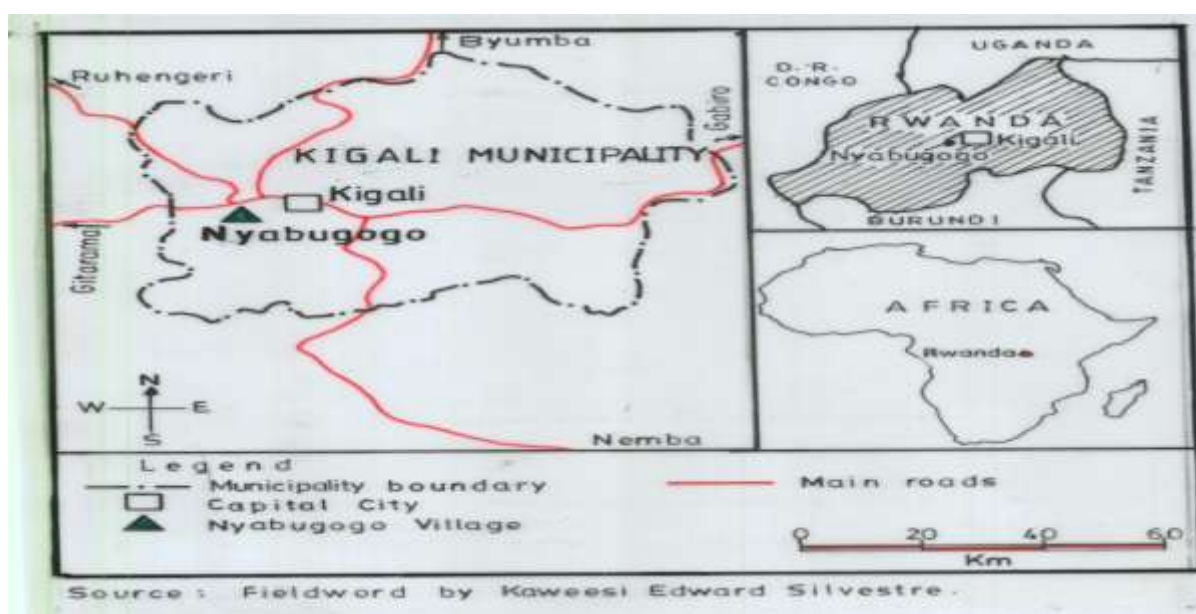
¹⁰⁷⁵ Human Rights Watch, *What Kabira is Hiding*, 1997.

¹⁰⁷⁶ Human Rights Watch, *What Kabira is Hiding*, 1997.

Do you think Rwanda would have been in position to fight a ``giant war`` in Zaire? Americans funded us, even with backed food! You see, I used to see them sometimes with our commanders, and please do not quote me, and if it were not for my friend (the banker) I wouldn't be talking to you! But it worked out, we defeated the Interahamwe, and the rest is history.¹⁰⁷⁷

The location map of the informant is as follows:

Map 5: Map of Rwanda indicating the location of Nyabugogo Village/Market, Study Area, in Rwanda.



A Ugandan military officer who also served in the Zaire during the first and second Congo war as an intelligence officer was straight:

The Americans were our accomplices, first, because they were concerned about our security (the Allied Democratic Forces threat to Uganda), but they equally hated Mobutu and through us they vanquished him. And for your information,

¹⁰⁷⁷ Personal Interview with a former Private in the Rwandan army at Nyabugogo, interview conducted on 20 September, 2013. Name withheld on request.

Congo is so “juicy”; any serious international actor would have positioned himself in the manner in which the Americans did. You have heard of the notion of sharing the spoils of war!¹⁰⁷⁸

That put aside, Rwanda subsequently declared all the refugees who had not returned from the Congo as part of the *interahamwe* militia and therefore fit for persecution and execution,¹⁰⁷⁹ and this logic was given topicality by the words of the then Ambassador of United States in Kigali, Gribin, who without hesitation; informed the International Humanitarian agencies which had partitioned, asking him to strengthen diplomatic efforts to make Rwanda countenance to the pleas of the agencies to have access to the refugees who were fleeing the attacks on the refugee camps. His message was blunt:

Stop feeding the killers’’ adding that ‘‘if we do not well will be trading the children in Tingi Tingi against the children who will be killed and orphaned in Rwanda(sic).¹⁰⁸⁰

Indeed Lemarchand observes that it is in Tingi Tingi that major massacres of refugees occurred in Congo Zaire.¹⁰⁸¹ It was not just forgotten but rather ignored by both Ambassador Gribin, and the Rwandan authorities that refugees were still being held hostage. It was stated that those Hutu refugees who continued moving west wards were escaping justice for the genocide crimes which they committed in 1994. They were therefore considered to be the ‘‘legitimate targets’’¹⁰⁸² for the persecution which was unleashed onto them by the Allied Forces with Rwanda at the helm of the alliance. As a result many refugees died, and although no agreement has been reached as regards the exact number of those who perished for many remained unaccounted for; this study takes the estimates of the UNHCR and other humanitarian agencies which put the refugee

¹⁰⁷⁸ A Personal Interview with the Former Intelligence Officer, Uganda Peoples Defence Forces, taken, on January, 23rd, 2014. Name and location withheld on request owing to sensitivity of the issues involved.

¹⁰⁷⁹ Rene Lemarchand, *Genocide in The Great Lakes: Which Genocide? Whose Genocide?* Yale Center for International and Area Studies, Working Paper Series, 1998.

¹⁰⁸⁰ Gribin, cited in Refugee International 1997b:6, but appearing in Rene Lemarchand, *Bearing Witness to Mass Murder*, African Studies Review, Vol.48, No.3 (Dec., 2005), pp.93-101, African Studies Association, <http://www.jstor.org/stable/20065142>, accessed: 05/02/2014 12:10

¹⁰⁸¹ See, Lemarchand, *Bearing Witness to Mass Murder*, 2005.

¹⁰⁸² See, Amnesty International, ‘‘DRC: Deadly Alliances in Congolese Forests’’ AFR 62/33/1997, December 1996:2.

deaths at 200,000.¹⁰⁸³ It was an error of judgment on the side of the international community, particularly the USA, not to condemn the massacre which were no respecter of even the bonafide refugees. This scheme of things fitted clearly into what would have passed as a fallacy on the side of the USA as the violence was simplistically interpreted as the United States Committee to Rwanda, Burundi and Zaire noted thus:

The notion of communal rather than individual responsibility is more pronounced in many African societies than in our own. ``Sins of fathers`` are visited not only upon their sons, but upon their brother, sisters, cousins and so on.¹⁰⁸⁴

The refugees who moved westwards in fear of persecution if they returned to Rwanda for it had been impressed upon them by the extremists leaders in the camps that the RPF was anti-all- Hutu; suffered the tragic violence which was visited onto them by the Rwandan forces and the Congolese allies. All those refugees were now taken to be communally responsible for the genocide in Rwanda and had to be communally punished. Though not all were militants—there were mostly children and women, but among them were the Hutu armed elements who accompanied what the Human Rights Watch dubbed as ``organised caravans``.¹⁰⁸⁵

Accordingly, the war progressed along that techno-logic as the refugees were pursued, violently persecuted and violently pacified. As the war progressed also the hunting-down of refugees who had not returned to Rwanda progressed in quite that manner. The study later sketches the progress of the war in line with the path of the Hutu refugee movements, how visitations of violence onto moving refugee communities were executed and the meaning of such a scheme of things on the debate surrounding the central concepts of this study, that is, human security, state capacity, post-conflict reconstruction and their related concerns. The question was no longer on the continued survival of the refugees, their human security, but rather on the survival of the security of the Rwandan territory, its inhabitants, and its government. The tension between human security and state security was manifest at this point in the post-conflict phase of Rwanda along the

¹⁰⁸³ Amnesty International, ``DRC: Deadly Alliances in Congolese Forests`` AFR 62/33/1997, December 1996:3.

¹⁰⁸⁴ 165099.

¹⁰⁸⁵ Human Rights Watch, *What is Kabira Hiding*, 1997.

continuum of security policy options. Indeed academic conference resolutions of the nature: A dialogue should be established with the refugees so as to distinguish between true refugees and government soldiers. That neighbouring countries should be called upon to cooperate in this process. And that greater attention, efforts and resources should be devoted to the monitoring of human rights violations;¹⁰⁸⁶ could hardly sound pragmatic to the Rwandan authorities. Rwanda was determined to ``neutralise`` the Hutu refugee warrior threat.¹⁰⁸⁷

But whereas the military strategies and tactics which were adopted by the government of Rwanda in its quest for state security served to undermine further the already undermined security of the refugees, it served the state security imperative which the government of Rwanda quested for. For the Hutu refugees, Congo was never to be a safe haven but rather a place for further torment thus defeating the logic of seeking for refugee which obtains from the assumption that as refugees flee violence in their home; a safe haven comes with reaching another territory¹⁰⁸⁸. To the Hutu refugees it became continuously, if we are to go with the symbolism of the titles of some monographs which have been written about the predicament of the Hutu refugees and their quest for a safe place of abode, ``From the frying pan into the fire`` and their suffering generally ``unfinished business?`` grappling with ``One disaster after another`` from the ``Chaos in the Camps`` to the ``Diamonds and the Genocide`` and the quest to ``Surviving the Slaughter`` in the midst a replication of ``The Shallow Graves of Rwanda`` in ``The Clones of ``Mr. Kurtz: Violence, war and plunder in the DRC``; ¹⁰⁸⁹ The policy outcomes were positive to state

¹⁰⁸⁶ Cited from, Jacques Depelchin, *Academic Freedom, Social Research and Conflict Resolution in the Countries of the Great Lakes, General Report*, Arusha International Conference Centre, Arusha, Tanzania, 4-7 September 1995:24.

¹⁰⁸⁷ In his discussion of the Congo war and its complexities, Simba Kayunga, 1997; uses the term ``neutralise`` to refer to military attacks which Rwandan forces and their Congo allies made on the camps in their quest to dismantle them, and make the refugees return to Rwanda and deal with the refugee warriors.

¹⁰⁸⁸ Kisangani N.F.Emizet, *The Massacre of Refugees in Congo: A case of UN Peacekeeping Failure and International Law*, The Journal of modern African Studies, Vol.38, No.2(Jul., 2000), pp.163-202, Cambridge University Press, <http://www.jstor.org/stable/161648>, accessed: 05/02/2014, 12:08.

¹⁰⁸⁹ See, Marie Beatrice Umutesi, *Surviving the Slaughter: The Ordeal of a Rwandan Refugee in Zaire* (Translated by Julia Emerson) (Madison: University of Wisconsin Press, 2004, XVI +25899. ISBN 0-299-20494—4; Elizabeth E. Brooks, ``From the frying pan into the fire``: a case study of Rwandan refugees, International Social Work 1998 41:499, DOI: 10.1177/00208728980410049, <http://isw.sagepub.com/content/41/4/499>. ;Shaharyar M. Khan, *The Shallow Graves of Rwanda* (London and New York: I.B. Tauris, 2001, xi, 228pp, ISBN 1-86064-616-6; Colette Brackman, *One Disaster After another*, index on censorship 2001 30:138, DOI:10.1080/03064220108536880,

security, and indeed by the end of 1996, Rwanda had pacified the Eastern Congo border as all Hutu refugee camps were destroyed. Approximately between 500000 to 700000 refugees had returned to Rwanda between 15th and 19th November 1996. However a considerable number, approximated at 500000 to 600000,¹⁰⁹⁰ made secondary movement westwards into Zaire; again under the double fear of what awaited them on return to Rwanda, and the fact that their masters, the Hutu militants, could not let them return. The UNHCR reported to have repatriated an additional 234,000 to Rwanda between December 1996 to June 1997, and that an additional 52,600 Rwandan refugees had been located, by July 1997, in DRC, Central African Republic, the Republic of Congo and others in Angola. This left the number of those who were unaccounted standing at 213,000;¹⁰⁹¹ this seems to contradict, or make assertions indicating that about 600,000 refugees to have died during the war to appear as mere exaggerations. The refugees who made secondary movements, majority of them, remained held hostage by the Hutu militants.

What complicated the predicament of refugees was that even when the militants could no longer subject their control onto the refugees as they were overwhelmed by the strength of the Rwanda army and its allies; the Rwandan forces, having reached a conclusion that those who failed to return to Rwanda in the initial days of the military campaign were Hutu militants, violence was indiscriminately unleashed onto the wandering Hutu refugees. It was extermination elevated to a level of a military tactic. The violence against the Hutu refugees by Rwanda and its allies has been variously described as genocide of a special kind, but genocide is a rather legalistic term with international judicial connotations. This study reduces the definition of the violence which took place to:

<http://www.ioc.sagepub.com/content/30/1/138>; Alex de Waal, *Unfinished Business*, index on censorship 1999 28:182, DOI:10.1177/03642209902800610, <http://www.iocsagepub.com/content/28/6/182>; Mwesigwa Baregu, *The Clones of "Mr. Kurtz": Violence, war and Plunder in the DRC*, Afr.J.Polit.sci (2002), Vol 7 No.2.; Howard Adelman, *Chaos in the Camps*, Bulletin of the Atomic Scientists 2002 58:88, DOI:10.2968/058006017, <http://www.bos.sagepub.com/content/58/6/88>. ;Christopher R. Cook, *Diamonds and Genocide: American, British, and French Press Coverage of the second Congo War*, SAGE Open 2013: DOI:10.1177/2158244013495051, <http://www.sgo.sagepub.com/content/3/3/2158244013495051>.

¹⁰⁹⁰ No source is certain of the exact number of those who returned and those who remained. As an operational figure, this chapter bases on the approximations of Kisangani N.F. Emizet, 2000 who used ranges of 500000 to 700000 for those who returned, and 500000 to 600000 for those who returned. These ranges were reached at after comparing different data sources thus his usage of rounded numbers.

¹⁰⁹¹ UNHCR, *Public Information Fact Sheet*, July 2, 1997.

Politicide, though Posen teaches us that politicide gives way to genocide.¹⁰⁹² This chapter refrains from the usage of the term genocide in reference to the carnage of the Hutu refugee communities in Eastern Congo basing on the logic of Mahmood Mamdani that genocide obtains from the ``politics of naming``: that an authority should decree a massive death as genocide and sometimes interests and hegemonic tendencies are at play for that is why whereas the carnage in Darfur was quickly declared a Genocide, the killings in Iraq despite of the sharp parallels with those in Darfur were not referred to as such.¹⁰⁹³ The reduction of all Hutu refugees to militants subjected their human security to the mechanics of state security, for the central approach to guarding state security is military.

A military strategy, however, can sometimes be employed in the quest of conserving human security, but in the context of Rwanda, given the fact that refugees were being pursued in a ruthless manner, that passes for persecution; human security was literally sacrificed at the altar of state security. Rwanda's military campaign against the Hutu refugee phenomenon, which was causing a resurgence of violence was ruthless, determined and uncompromising. It was no respecter of the dignity of the bonafide refugees. It epitomised the extent to which threats to the state security of a state emerging from conflict can make the traditional conceptualisation of security an enduring security philosophy, and human security a semblance of a luxury that can wait.

The pre-occupation of the Rwandan authorities was on the threat the Hutu refugee warriors posed to the security of the Rwandan territory and the stability of the RPF led government. Within the war master plan of Rwanda in Zaire the Hutu civilian refugees were not an important factors in the somewhat algebra of the security architecture which the new Rwandan Government envisaged as an outcome of the war. The issue was Hutu

¹⁰⁹² Barry R. Posen, *Military Responses to Refugee Disasters*, International Security, Vol.21, No.1 (Summer, 1996), pp.72-111, The MIT Press, <http://www.jstor.org/stable/2539109>, accessed: 05/02/2014 13:09, defines politicide as: the attempt to destroy a political idea, usually by destroying many if not all of those who hold the idea or at least enough of them to terrorise others into abandoning it. To him this culminates into genocide.

¹⁰⁹³ For a detailed treatment of the genocide as a concomitant of the ``Politics of naming``, see, Mahmood Mamdani, *The Politics of Naming: Genocide, Civil War and Insurgency*, London Review Books, Vol. 29, No.5, 8 March, 2007, <http://www.lrb.co.uk/v29/n05/mahmood-mamdani/the-politics-of-naming-genocide-civil-war-insurgency>

refugee warriors. Kagame, during an interview which he had with the Washington Post in July 1997, he was categorical of what the core goals of the war were: dismantle the camps, destroy the structure of the Hutu army and the militias unit in and around the camps, bring the Hutu combatants back to Rwanda and decisively deal with them from within or scatter them, and the third objective was to topple Mobutu.¹⁰⁹⁴ It should be noted that securing the civilian refugees was not part of the choice of words which Kagame employed in that interview, but rather ``Hutu combatants`` to be brought to Rwanda. So, the Hutu refugee saga was perceived not as a human security phenomenon, or at least a human security- cum -state security phenomenon, but rather as a state security threat that had to be dealt with using the military; which is the traditional guarantor of state security in its very traditional sense. The method employed as a result of the perception of the Hutu refugee phenomenon by the Rwandan state as precisely put by Kagame was in sharp contradiction to the promotion and preservation of refugee security which is part and parcel of the heuristic definition of Human Security.

The strategy was the complete military annihilation of the Hutu refugee warriors but it culminated into destruction of the Hutu refugee communities for the tactics adopted were lethal to the human security of the refugees. These tactics included the following: earth scotched policy, sealing off supply lines of humanitarian agencies to refugees, indiscriminate shooting, torture, sealing off of escape routes, and massacres.

At this point the study examines how the military tactics, which were adopted to fulfil the strategy of the Government of Rwanda, undermined the human security of the refugees and thus a manifestation of the tension between human security and state security at the level of security policy implementation. The study indicates that it was Rwanda and its allies that carried out the attacks on refugees in the camps as a measure that was aimed at dislodging the Hutu militants. It has been variously noted that the witnesses to the massacres of the refugees indicated that the leaders of the executioners of the massacres were speaking Kinyarwanda, English or Kiswahili an indication of the RPA involvement for majority of its top leadership had grown up in Anglo-Uganda and the language of the military in Uganda is generally Kiswahili. It was further asserted that the Kinyarwanda

¹⁰⁹⁴ John Pomfret, ``Rwanda Planned and led the attack on Zaire``, Washington Post, July 9, 1997.

speakers among the AFDL forces are said to have been interested in the question: ``Where are the refugees``, whenever they met the Congolese natives.¹⁰⁹⁵ These attest that those who pursued the refugees were either RPA forces or the Banyamulenge/Congolese Tutsis. This was cross examined during the focused group discussion which the researcher had with four Hutu ``migrants`` in Uganda, Sitabaale, Nangabo, Wakiso, District who used their family ties in Tanzania to escape the carnage in Zaire during the 1996/1997 war, but later to continue to Uganda when Tanzania expelled most of them between 1996 and 1997. They volunteered holding a discussion with the researcher on the request of the Local Council Chairman of the area who had found for them work on farms. Responding to the question: Who was killing the Hutu refugees? One retorted: ``The Tutsi``. Another added, albeit grinning inanely: ``they resembled you (the researcher) ``-- in reference to his relatively brown colour and angular physical features that are similar to those of the Tutsi who came from Uganda).¹⁰⁹⁶ This pointed to the logic that to some Hutu refugees who escaped the carnage in Zaire, the Tutsi were culpable of the violence that was unleashed onto the refugees. Refugees were the central target of the AFDL forces as outlined by one particular incidence: that when the forces arrived in Mbandaka Zaire they demanded a resident to shout in Lingala, the native language of the Congolese people in that area, ordering them to literally take cover on the ground, those who never understood the instructions, majority of them refugees in the crowd, remained standing and they were ``shelled`` with bullets.¹⁰⁹⁷ Indeed it is at Mbandaka that AFDL soldiers indicated that their chief mission was to annihilate refugees than to overthrow Mobutu.¹⁰⁹⁸ This and other incidences which have been ably delineated in several publications serve to show the callousness with which the refugees were killed.¹⁰⁹⁹

The location map of the focus group discussion is as follows:

¹⁰⁹⁵ See, Human Rights Watch, *What is Kabira Hiding?*, 1997, and Amnesty International, 1996.

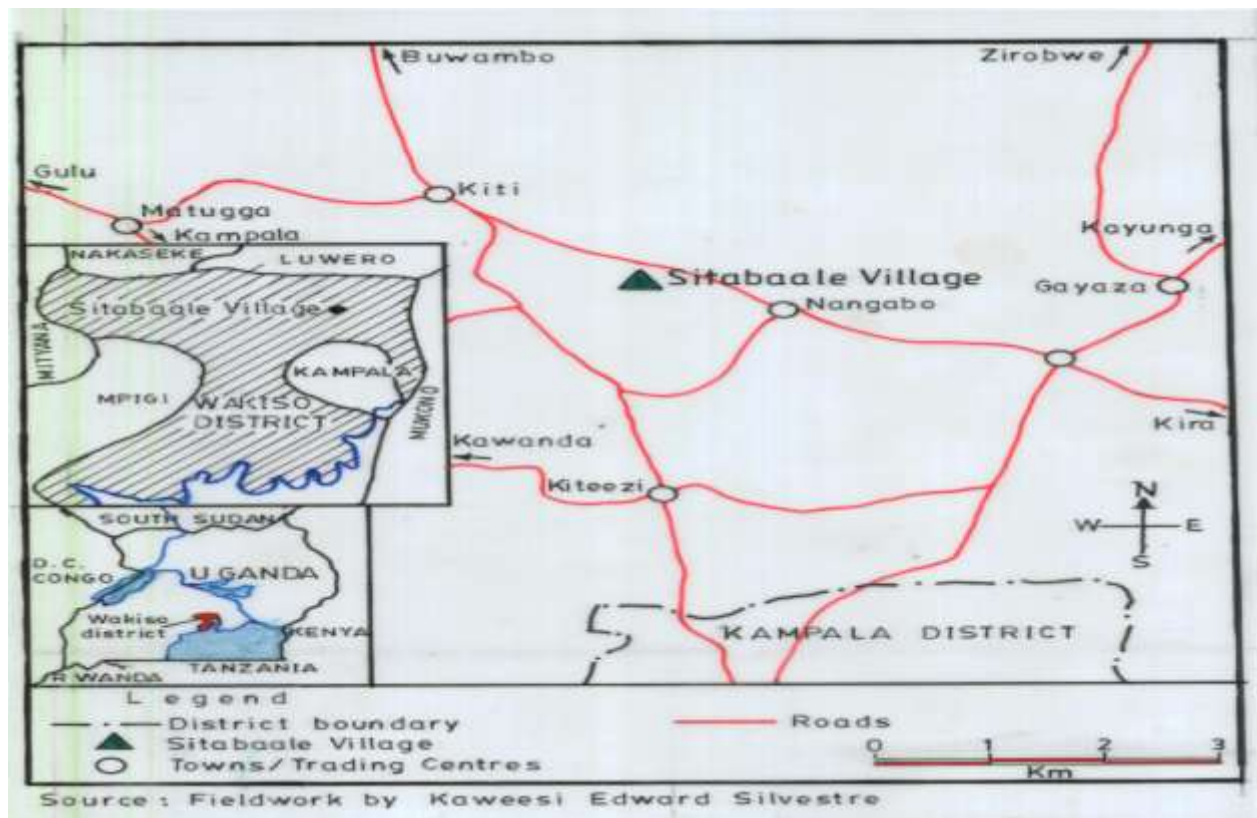
¹⁰⁹⁶ Focus Group discussion conducted in Wakiso District, Uganda, on the Hutu ``migrants`` working as labourers on the farms in that area, by the researcher on 19th January, 2014.

¹⁰⁹⁷ Human Rights Watch, *What is Kabira Hiding?* 1997.

¹⁰⁹⁸ Human Rights Watch, *What is Kabira Hiding?* 1997.

¹⁰⁹⁹ *C.f.*, Human Rights Watch, *What is Kabira Hiding?* 1997, 28-39, and Amnesty International, 1996.

Map 6: Map of Uganda indicating the location Sitabaale Village, Nangabo, Wakiso District of Uganda (focus group, study area).



The military of Rwanda together with its functionaries within the ranks of the rebels who were fighting Mobutu employed the tactic of earth scotched policy. Briefly, the earth scotched policy is a term used to refer to a situation where military forces employ bushing burning/or the burning of the overgrowth as a way of clearing land of the natural habitats of rebels like overgrown forests. This becomes indiscriminate burning of a special kind as the fire is lit without consideration to presence of human inhabitants, and wildlife. Rwanda and its allies applied the tactic on refugee camps. The measure was also aimed at destroying refugee camps in a robust manner so that refugees are denied a place of abode thus prompting them to return. But the attacks on camps were more than bush-burning; but rather camps were bombarded without regard to the lives of the civilian refugees who had been held hostage by the Hutu militants. Instructive of this was the Kibumba refugee camps in North Kivu which was attacked using mortars and heavy

machine guns.¹¹⁰⁰ The Kibumba camp is said to have been shelled for one week in late October 1996; sending the camps residents into disarray.¹¹⁰¹ At the end of October, Mugunga camp in Goma area was heavily shelled leading to the death of civilian refugees and armed Hutu militias since the camp was the most populated and the most militarised with several Hutu militia elements.¹¹⁰² This passes for a semblance of a scotched earth for the mortars landed onto the refugees' places of abode, burning the encampments and forcing the refugees to flee. A camp hospital in Kibumba camp was burnt and more than 200,000 refugees fled Northwards in the direction of Goma. It was reported that the attacks were executed by the 7th Battalion of the Tutsi-led Rwandan army that had crossed into Zaire on Saturday 26 1996.¹¹⁰³

The sealing off of the supply lines of humanitarian agencies to refugees was also adopted as a measure of denying refugees food and other necessities of life like medicine. This was geared towards prompting them to return to Rwanda. But the Human Rights Watch noted that the act of blocking humanitarian assistance was full of vengeance as a result of the genocide of 1994 in Rwanda.¹¹⁰⁴ This move was also seen as a way of denying the refugee warriors food supplies which they were misappropriating from the refugee camps to feed the belligerents. The food supplies were also used by the refugee warriors as a way of controlling the refugees. Accordingly, the Rwanda Patriotic Army and its Congolese armed allies blocked roads that were leading to the camps and the areas where the refugees had relocated during their secondary movement in escape of the violence which was unleashed onto the camps by Rwanda and its allies. The measure of blocking access to refugee locations was further adopted to conceal the killing and torture of the refugees from the humanitarian agencies workers, and this subsequently denied the refugees humanitarian supplies that would have ensured their continued survival.

The tactic of denying humanitarian agencies access to refugee locations resulted into the starvation of the refugees who engaged in secondary movement. For instance during the

¹¹⁰⁰ Human Rights Watch, *What is Kabira Hiding?*, 1997.

¹¹⁰¹ United Nations Security Council, 1998.

¹¹⁰² Human Rights Watch, *What is Kabira Hiding?* 1997, Reyntjens, 2009, and Amnesty International, December 1996.

¹¹⁰³ Associated Press, *Democratic Republic of the Congo: Rwandans attack refugee camp in Zaire*, 27 October 1996.

¹¹⁰⁴ Human Rights Watch, *What is Kabira Hiding?* 1997.

Bukavu attacks on camps, the area was restricted to humanitarian agencies.¹¹⁰⁵ Ubundu was declared a no-go area to humanitarian agencies and they were denied access to Goma by November, 1996- Amnesty International reported on 23rd April 1997 that approximately 80,000 refugees had made several encampments in the South of the city of Kisangani, the Capital of the Haut-Zaïre region were grappling with disease, starvation and exhaustion.¹¹⁰⁶ South Kisangani starting with Biaro and later Kasese were declared closed to humanitarian agencies in April 1997 and in Bukavu access was limited to an area of a radius of 30km. The Secretary General of the United Nations, Boutros-Ghali is said to have referred to the situation as ``genocide of the Hutu by starvation`` and Kofi Annan is said to have reiterated after six months that: ``The killing (of Hutu refugees) (was) done by hunger``.¹¹⁰⁷ The UN Investigative team report noted that the refugees from the Bukavu camps who had converged at Hombo grappled with lack of food, water or shelter and because of sanitary inadequacies, mortality ranged from 480 to 960 deaths per day.¹¹⁰⁸ Majority of them had fled from Eastern Congo in ``Escape of Violence`` if we are to use to language of Zolberg.

Also as part of the scheme to ensure that humanitarian assistance does not reach the refugees, the AFDL adopted the strategy of sabotaging of humanitarian agencies` activities. For instance in the AFDL controlled areas, the AFDL soldiers stopped providing security to humanitarian agencies` workers, and this subsequently led to the looting of humanitarian supplies by mostly Zaïrian civilians; as AFDL forces looked on. At a singled out incidence, on 18th April 1997, in a move which is said to have been aimed at sabotaging the humanitarian work of the UNCHR, 60,000 litres of fuel reserves were siphoned by the AFDL in Goma town, and on the same day 120 tons of humanitarian supplies being transported to camps was looted under the watch of the AFDL. More looting of humanitarian supplies was reported at Kasese, and at one incidence the AFDL is reported to have threatened to close the Kisangani airport to humanitarian traffic. This concomitantly undermined the survival of refugees; more so that of the vulnerable groups

¹¹⁰⁵ Amnesty International, 26 November 1996. Also see, Filip Reyntjens, 2009.

¹¹⁰⁶ Amnesty International/Zaire, *Amnesty International Condemns AFDL Abuses against Rwandese Refugees in Eastern Zaïre*, AI Index: AFR 62/12/97, 23 April 1997, News Service 72/97. Also see, Human Rights Watch, 1997.

¹¹⁰⁷ Reyntjens, *The Great African War*, 2009, 108.

¹¹⁰⁸ United Nations Security Council, 1998.

like: children, women, the elderly and the sick. Survival is synonymous with human security, and therefore, by aggravating the food insecurity of the refugees; state security was standing in sharp contrast to the agenda of human security. During the focused group discussion which the researcher held with the Hutu refugees in Wakiso Uganda; when asked the problems which they experienced during what they referred to as the ``Great War in Congo``, one stood up, and with watery eyes he narrated their ordeal said:

“We were starving. Nobody was helping us with food. We were left for the dead and animals to eat us. We were deeply in fear. The Tutsi boys were hunting us down.”¹¹⁰⁹

The choice of words ``deeply in fear`` points to the definition of human security and that ``nobody was helping us...`` indicates that even the ``Ambulance chasers``, the humanitarian agencies were not present to provide for the refugees and that ``Tutsi boys were hunting us down``, indicates the wanton nature of the killings of refugees which Rwandan forces executed in Zaire. Accordingly, Human security was under attack from the quest for state security.

Mention should also be made that the Rwanda Patriotic Army used human needs as a tactic to ensnare the escaping refugees into violent deaths, and it should be remembered, it is a central contention of this study that human needs guarantee human security. Note that some of the refugees who made secondary movements found safe havens into the dark forests of the Congo. To get them out of their hiding the Rwandan forces together with allies made announcements calling on refugees to get out of their hiding so that they could access humanitarian supplies particularly food.¹¹¹⁰ At times humanitarian agencies would be given permission to locate the whereabouts of the refugees and after identifying the location, the allied forces would then deny the humanitarian agencies access to the refugee areas identified. Often those who got out of their hiding as a result of the

¹¹⁰⁹ Focused Group Discussion, conducted on January, 19th 2014.

¹¹¹⁰ Rene Lemarchand, *Bearing Witness to mass murder*, African Studies Review, Vol.48, No.3 (Dec., 2005), pp. 93-101, African Studies Association, <http://www.jstor.org/stable/20065142>, accessed: 05/02/2014 12:10. See, Marie Beatrice Umutesi, *Surviving the slaughter: The ordeal of a Rwandan Refugee in Zaire*, for a detailed autobiographical account of the predicament of the Hutu refugees in Zaire in the eyes of someone who was part of them.

encouragement of the humanitarian workers were massacred.¹¹¹¹ This strategy was referred to as ``bait and kill``.¹¹¹² Instructive of the massacres of this nature is when the AFDL rebels disguised themselves as Red Cross workers, wearing red arm bands they called the refugees out of the Mbandaka forest so that they can receive humanitarian assistance, those who heeded to the call were massacred. Again near Mbandaka, when humanitarian workers encouraged a group of 30 refugees who were hiding in Wendji forest to come out for assistance, AFDL soldiers who were travelling on a truck massacred them.¹¹¹³ Sometimes the forces hoodwinked humanitarian agency workers to volunteer information on whereabouts of refugees so that they could be offered protection, but only to indiscriminately unleash violence onto the refugees.¹¹¹⁴ The general practice however was that the AFDL always literally planted intelligence officers into the ranks of the humanitarian agencies. The intelligence officers would be disguised as facilitators of the activities of the humanitarian agencies. The intelligence officers would inform the AFDL, whenever they eavesdropped the briefs, of the humanitarian agencies about the whereabouts of refugees.¹¹¹⁵ It is reported that it is Mare Kazindu a ``facilitator`` that is said to have facilitated the massacre of refugees along the axes of Bukavu-Walikale, Bukavu-Kalonge and Bukavu-Shabunda. This tactic is said to have prompted the UNHCR to suspend the location of refugees in their hiding.¹¹¹⁶

Noteworthy is that indiscriminate shooting was also another military tactic which was employed by the RPA and its allies to thwart the Hutu refugee warrior phenomenon in Zaire. This tactic sometimes culminated into massacres of even the bonafide refugees.. This was a the Rwandan military together with its Congolese allies could not easily decipher the refugee warriors from the bonafide ones, and a clear strategy was not devised to separate the bonafide from the refugee warriors. Camps were indiscriminately hit by artillery like heavy bombs leading to several bonafide refugee casualties. For instance, on Sunday 14th October 1996, Runingo refugee camp which was located about

¹¹¹¹ Amnesty International, ``DRC: Deadly Alliances in Congolese Forests``, December 1996, AFR 62/33/1997.

¹¹¹² Human Rights Watch, *What is Kabira Hiding?* 1997.

¹¹¹³ Amnesty International, ``DRC: Deadly Alliances in Congolese Forests``, December 1996, AFR 62/33/1997.

¹¹¹⁴ Human Rights Watch, *What is Kabira Hiding?* 1997.

¹¹¹⁵ Human Rights Watch, *What is Kabira Hiding?* 1997

¹¹¹⁶ Filip Reyntjens, *The Great African War*, 2009.

20 kilometres from Uvira town was shelled with mortars and automatic rifles without due consideration to the civilian refugees who were resident there.¹¹¹⁷ In Mugunga camps, unarmed refugees were captured and killed, and this was not an unusual happening in the camps of North and South Kivu which were attacked between October and November 1996.¹¹¹⁸

Also the camps which were set in the interior of Zaire as reception centres for the Hutu refugees who were fleeing the violence in the North and South Kivu regions were also attacked in an indiscriminate manner. Attacks on the Amis, Tingi Tingi, Kasese and Obilio camps, which had hosted many refugees who had made secondary movements, were not uncommon. These attacks which took place between December, 1996 to May, 1997; were punctuated with lethal attacks by the AFDL troops on unarmed civilian refugees. In the South and North Kivu hospitals were not spared from the attacks as depicted by the manner in which Lwiro hospital in South Kivu was attacked by the AFDL; taking away Hutu minors and their caretakers and subjected them to torture.¹¹¹⁹ Amnesty International, was informed by the Hutu refugees who managed to escape to Tanzania, that in South-Kivu camps, which hosted about 200,000 refugees, the AFDL in an attempt to dismantle the camps, adopted the mechanism of ``indiscriminate violence``, leading to the death of many civilian refugees. The tactic seemed to have worked from the Rwandan Government for in North-Kivu, the repatriation of the around 500,000 refugees in mid-November, 1996; was partly a result of the indiscriminate attacks on camps. It is reported that from mid-October onwards, the refugee camps of Kagunga, Runingo, Kibigoya and Luberezi were attacked by the AFDL. Kagunga was heavily shelled on 18th October, 1996, then Runingo and Luberezi on 20-21 October. It is observed that the ``shelling`` of the camps was done even in instances where the Hutu militants had already escaped.¹¹²⁰

¹¹¹⁷ United Nations Security Council, 1998.

¹¹¹⁸ United Nations Security Council, 1998.

¹¹¹⁹ United Nations Security Council, 1998.

¹¹²⁰ Amnesty International, Zaire, *Hidden from Scrutiny: human rights abuses in Eastern Zaire*, Amnesty International 20 December 1996, AI. Index: AFR 62/29/96.

Indeed the attack on 2000 refugees around Boende is reported to have been done when the Hutu militants had already left.¹¹²¹ Also the fact that the attack on camps were mostly executed at night serve to show how highly improbable it was to avoid the civilian refugee casualties. To Amnesty International, the attacks on camps, where no attempt was made to ensure the principle of distinguishing Hutu militias and the Hutu civilian refugees, was equal to a violation of the International Humanitarian Law.¹¹²² What is particularly intriguing is that even the refugees who expressed interest in returning to Rwanda, although after the massive return of the around 500000-700000 refugees, were often massacred; particularly the men. Instructive of this is when refugees moved near Chimanga camp in anticipation that they were to access repatriation to Rwanda, but only to be attacked. The men were separated from women and children, and the latter massacred, either on or around 18 November 1996. A massacre which was executed in the same design also took place at an area near the Bilongo camp, and this took place after the former Rwandan army soldiers and the militias had left the camp.¹¹²³

This seems to justify the logic of the attack on camps; meant to disable the Hutu warrior communities by denying them recruitment ground, and targeting the men was meant to deny the former Hutu armed elements potential combatants.¹¹²⁴ The Human Rights Watch observed that majority of the refugees who returned to Rwanda were women and children, and that they reported how men and boys had been taken away by the AFDL forces. It reported that whereas the killings were initially very selective, targeting only the former Rwandan army soldiers, former Rwandan government officials, Hutu militias, the Hutu intellectuals and young men, later the logic changed as refugees who moved west wards were killed indiscriminately.¹¹²⁵ Kisangani, quoting Boyer 1997:7, article titled: ``Rebels'', provides vivid account of how male refugees were persecuted. It goes as follows:

¹¹²¹ Amnesty International, AFR 62/33/1997.

¹¹²² Amnesty International, *Zaire, and Hidden from Scrutiny: Human Rights abuses in Eastern Zaire*, Amnesty International, 20 December 1996, AI. Index: AFR 62/29/96.

¹¹²³ Amnesty International, *Great Lakes: Amnesty International Condemns Massacre of around 500 Refugees in Eastern Zaire*, AI Index: AFR 02/29/96, News Service 226/96, for immediate Release- 26 November 1996.

¹¹²⁴ Mahmood Mamdani, *African States, Citizenship and War*, 2002.

¹¹²⁵ Human Rights Watch, *What is Kabira Hiding?* 1997.

They (Tutsi soldiers) separated the little boys from the girls.... And they started killing the boys. First they shot them, and then they cut them in half so that... if they come back to life they wouldn't be able to escape¹¹²⁶

So, Rwanda's quest for state security was done at a heavy human security costs. This study however does not extend its scope into the analysis of the extent to which International Humanitarian Law was abused, but rather to underscore how the quest for Rwanda and its Congolese allies to dismantle camps and annihilate the Hutu refugee warriors; as a measure which was aimed at ensuring the national security of Rwanda, ended up undermining the human security of the majority civilian Hutu refugees. It is this saga that shows the contradiction between human security and state security along the continuum of security policy options in the context of post-conflict reconstruction situations.

The tactic of indiscriminate killings became a military imperative which was operationalised throughout the first Congo war, which was led by the Rwandan forces. Indeed, all refugees that made secondary movements were at the risk of being attacked by the Rwandan Government forces and its allies. This obtained from the absurd conclusion by the Rwanda; that all refugees who had failed, or refused to return to Rwanda were generally militants who had to be dealt with.

Accordingly, several massacres took place along the paths of the secondary movements of refugees. Instructive of these massacres are those which took place along the Bukavu-Shabunda axis in South-Kivu. Amnesty International reported of skeletons found along the Kingulubu-Shabunda road, a mass grave disguised as a site for construction behind a house in Mpwe a place that is around 12 kilometres from Shabunda, the 20 refugees killed in Tingi Tingi area, a mass grave in North of Katchungu along the road leading to Lulingu, twelve mass graves in Kivu at Langue-Langue which is approximately 130 kilometres west of Kingulabe, the 1-3 March massacres in Tingi Tingi camps of the sick and the old who failed to leave the camps with those refugees who fled on 28 February 1996 before the camps were occupied by the AFDL on 1st March, the massacres of 500 Rwandese refugees by the AFDL in late April and early May 1997 at Kirundu near

¹¹²⁶ Kisangani, *The Massacre of Refugees in Congo* 2000, citing Boyer, 1997, 7.

Mukoto monastery in Masisi District with a helicopter allegedly from Rwanda supplying the combatants, the famous Mbandaka massacres which took place on 13th May 1997 at Mbandaka; which is the Capital of the North Western DRC Equateur province sitting on the bank of the Congo River where it is reported that approximately 800 refugees were massacred.

It is reported that at the site of the Mbandaka famous massacre, forensic evidence was quickly removed as clean up exercise so that the UN Investigative team which was meant to unravel the evidence of the massacres would not find any.¹¹²⁷ Indeed, apart from sustaining the narrative of Amnesty International on how the refugees who made secondary movement were attacked violently leading to the death of many, the report of the UN Investigative team particularly illustrates how even those who made movements from South to North Kivu in the wake of the violence which started in Uvira were persecuted along the way. It is noted that 435 were killed in a banana plantation in Luvubu, 334 who were fleeing Kanganiro camp were killed at Ruzizi river, 851 persons from Lubarika were killed in the nearby Coffee and banana plantations, 648 persons(locals and refugees) were killed at Kamanyola and 155 refugees were killed at Rwenema.¹¹²⁸

Still on the treatment of how the survival of those who made secondary movement westwards was threatened, it was reported that 2000 refugees around Boende areas were massacred, and the massacre of 2,500 refugees who had boarded a boat to cross to the Congo Republic and those who were still waiting to board were shelled at, and some decided to throw themselves in water and drowned.¹¹²⁹ Also between 28 and 30 October, 1996, 300 of the refugees who were fleeing Uvira en route to Tanzania were killed at the village of Mboko, and among these were arms wielding ``combatants``. 150 of the 300 died on a boat which was sunk by the ``Banyamulenge``¹¹³⁰ militants.¹¹³¹ These

¹¹²⁷ United Nations Security Council, 1998.

¹¹²⁸ United Nations Security Council, 1998.

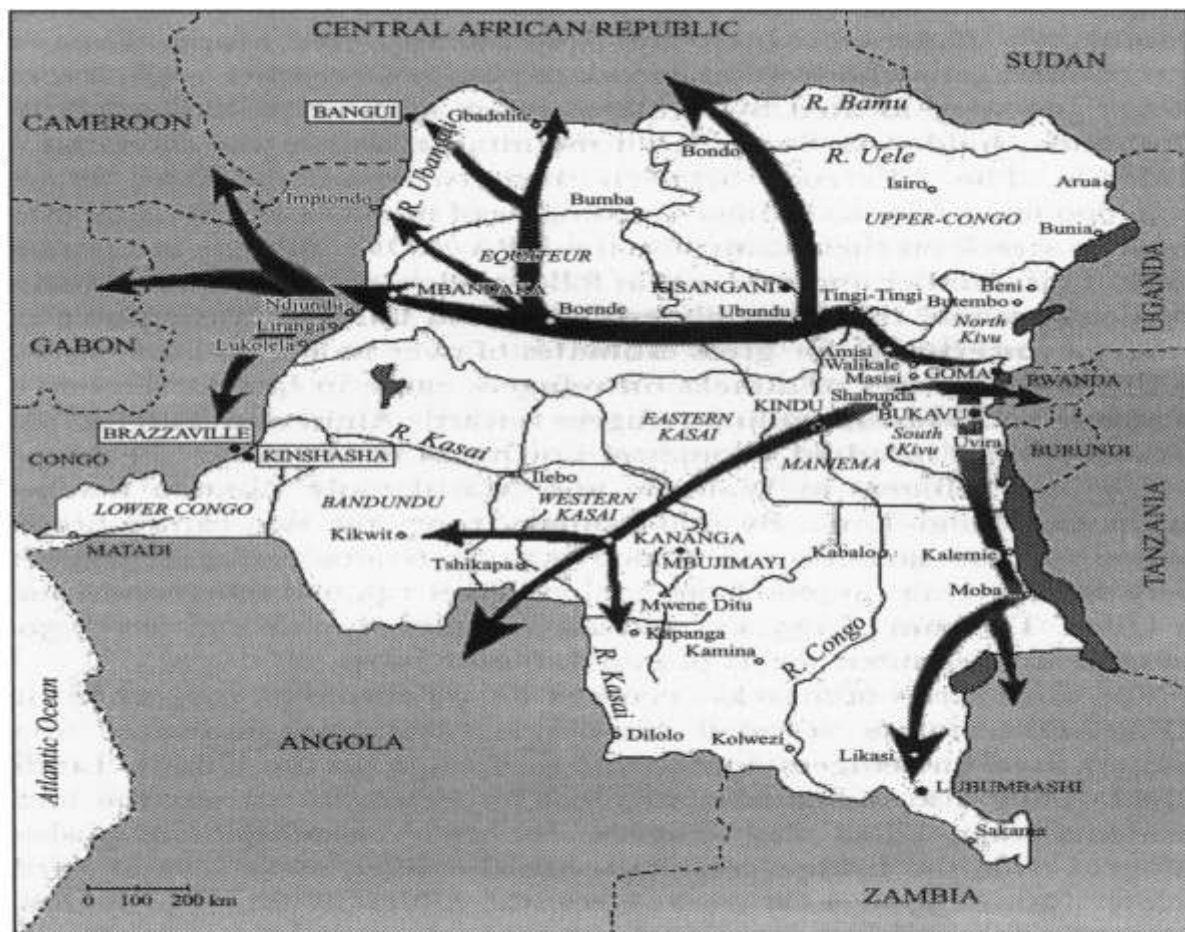
¹¹²⁹ Amnesty International, ``DRC: Deadly Alliances in Congolese Forests``, December 1996, AFR 62/33/1997.

¹¹³⁰ The word ``Banyamulenge`` is put in inverted commas simply because as the war of 1996-1997 progressed, despite the diverse composition of the AFDL; the conglomerate came to be known as ``The Banyamulenge``.

¹¹³¹ Amnesty International, 1996,. Also see, Human Rights Watch, *What Kabila is Hiding: Civilian Killings and Impunity in Congo*, Human Rights Watch Report, Vol. 9, No.5 (A), October, 1997.

massacres suffice to indicate the extent to which the human security of refugees was greatly undermined by the AFDL with the Rwandan forces at the helm in the quest of ending the Hutu refugee warrior phenomenon that had seen and continued to threaten a resurgence of violence in Rwanda. The movement of refugees westwards was punctuated with several massacres at several junctions and the following map illustrates that the logic of the movement of the troops of the AFDL was informed by the logic of the secondary movement of the refugees.

Adopted Map 7: Secondary movements of the Hutu Refugees during the First Congo War (1996-1997)



MAP 1. Dispersal of Hutu refugees from eastern Congo, 1996/97
Source: Data for map from UNHCR (1997: 16-17) and Pourtier (1997: 31)

Accordingly, from the map, massacres occurred at the Shabunda junction leading refugee movements into further south as indicated by the map arrows facing in the south of Congo; where some refugees ended up escaping into Angola and others into Zambia

through Lubumbashi city. But those who decided to branch from Kananga-Kasai junction to Kwikwit in Bandundu and to Kapanga were massacred. Massacres also occurred at Tingi-Tingi-Ubundu-Junction in the direction of those who were moving towards the direction of Central African Republic. Majority of those who continued towards the direction of Gabon and Cameroon were killed at different points: Ubundu, Boende and Mbambaka. Survival could only be guaranteed by reaching a third country; that is to say: Zambia, Angola, Central African Republic, Gabon, Cameroon and the Republic of Congo (Congo Brazzaville). This means that if the objective of the war was to ensure a decisive end to the Hutu refugee threat to the security of Rwanda, that objective was pursued to its logical conclusion.¹¹³²

Also, torture as a way of forcing the civilian refugee to return to Rwanda, served to undermine the personal security of refugees. The rationale was to make the conditions in the Congo unfavourable in order to prompt the return of refugees to Rwanda. Some were buried alive, others were tortured to death and others burnt alive. Painful deaths like throwing the refugees into rivers and lakes, and sometimes amputating parts of their bodies using machetes were not uncommon. The reportage of a woman who was burnt by the AFDL with her child on the back suffice to show the extent of the trauma that refugees went through in the ``Escape of Violence``.¹¹³³ The refugees endured walking long distances as humanitarian agencies were not allowed to trace and later transport them to their final destination. It is reported that: 11,000 Rwandan refugees reached the Republic of Congo after several months of trekking, 19,000 reached Angola, 15,00 arrived in Central African Republic, but while tired and frightened.¹¹³⁴

Equally callous was that sometimes announcements would be made calling on those who wanted to return to assemble, but only for the armed forces to open fire onto them. The tactics which were used by the genocidaires in Rwanda during the 1994 genocide were revisited onto the Hutu refugees by the Rwandan forces. Ironically the Rwanda force comprised majorly of the Tutsi and their key allies in the Congo were the Banyamulenge

¹¹³² See, United Nations Security Council, 1998, for a detailed treatment of how the massacres were executed along the path which were taken by the refugees who proceeded westwards.

¹¹³³ See, Human Rights Watch, *What is Kabira Hiding?*, 1997, United Nations Security Council, 1998 and Amnesty International, 1996.

¹¹³⁴ See, United Nations Security Council, 1998, 41.

people, who were also of Tutsi Rwandan decency. This point to the validity of the allegation that Rwanda's incursions into Zaire were a vengeance scheme against the Hutu for the genocide of 1994.

The tactics which were employed by Rwanda and its allies with the strategy of thwarting the Hutu refugee warrior phenomenon in Zaire yielded tangible for Rwanda's state security but negative results for human security as the survival of the bonafide refugees was undermined for many died and many were forcefully returned to Rwanda. The bonafide refugees witnessed and indeed suffered a reign of terror, unleashed onto them by the Rwandan forces and the Congolese rebels. The persecution was overwhelming that some decided to engage in mass suicide as a way of avoiding painful deaths through massacres.¹¹³⁵ But was this reign of terror a matter of policy or just the sheer foolhardiness of the trigger-happy and coldblooded young men within the rank of the RPA? The extent and the manner in which torture and deaths were executed point to systematic planning and execution of a war that undermined human security. This study is on human security, and it goes without saying that by pursuing a campaign that directly undermined the survival of refugees, Rwanda in its quest of state security undermined human security.

What undermined the human security of the Hutu refugees the more was the sealing -off of the escape routes by the Rwandan military and its allies as a way of numbing the refugee warriors who could not easily be identified from the civilian refugees. As such roadblocks were mounted along the escape routes which the refugees were using in the quest for another safe haven. Attacking of refugees after closing the roadblocks as a tactic was adopted to hoodwink the international humanitarian agencies that were sometimes following the refugees to a safer encampment. Refugees returning to Rwanda were subjected to arduous security checks; yet they were already tired and hungry. This led to death and those who survived were destined to a life of desolation in the concentration camps which were created in Rwanda as reception centres for returnees.¹¹³⁶ They had to grapple with improvidence of human needs which guarantee human security; particularly

¹¹³⁵ See, Human Rights Watch, *What is Kabira Hiding?*, 1997, Amnesty International, 1996, and United Nations Security Council, 1998.

¹¹³⁶ See, United Nations Security Council, 1998, Amnesty International, 1996, and Human Rights Watch, 1997.

food. Many returnees ended up escaping from Rwanda again in the quest of a safe haven. Some entered Uganda. The survival of the Hutu refugees was being sacrificed for the security of the Rwandan state. The new Government in Rwanda had to resolutely solve the Hutu refugee crisis that had seen a resurgence of violence. The military approach to security policy was aggressively pursued.

So, the Hutu refugees suffered a somewhat three-pronged set of human security related concerns, as they were first uprooted from Rwanda in fear of revenge killings; second the threats to their survival which they had to grapple with in their refuge in Congo, and third the suffering they had to endure as a result of the incursions of the Rwanda military together with its Congo and Ugandan allies onto the refugee camps. The persecution was overwhelming and it depicted the extent to which the quest for state security can conflict with preservation of human security during post conflict reconstruction situations. When the need to thwarting a resurgence of violence by the post-conflict government becomes urgent, human security concerns become secondary.

In conclusion, pejoratively speaking, it emerges from the Rwandan reviewed experience that either because of sheer naive simplicity of the policy makers or as a result of limited policy options for the policy makers, owing to circumstances, they make and undertake to implement policies that are either more inclined to either human or state security during post-conflict reconstruction process, a situation that might lead to a somewhat ``boomerang effect``. This implies that whereas the ``security dialectic`` obtained at the causative level of violence during Rwanda's post-conflict reconstruction episode; when it came to choosing among the security policy options to address the resurgence of violence, a ``boomerang effect`` was manifest. But it is Chapter five (5) which brings to bare the supporting answers to the ``boomerang effect`` phenomenon that was manifest during Rwanda's Post-Conflict reconstruction experience.

Accordingly, basing on the content of Chapter three (3) and Chapter five (5), the chapters are informative to the extent to which they bring to bear the imperativeness of both human security and state security as pillars of a polity's security policy in post-conflict situations. Policy makers and even theorists in the security sector of particularly the generally conflictual Great Lakes Region where the case of this study, Rwanda lies;

ought be cognizant of the inevitability of a resurgence of violence after conflict as a result of the refugee phenomenon; aware that most if not all conflicts generate refugee situations.

6 CONCLUSIONS

This study is about Human-Security, state capacity and post-conflict reconstruction within the context of Rwanda during the period, 1994-2005, and it sought to understand how the development in the state-capacity of Rwanda during post-conflict reconstruction did serve to address the human security related issues which threatened a resurgence of violence during the period in review. Three specific questions were adopted to unravel the detailed concerns of the study and they are as follows: How did human security concerns historically structure violence during the genocide and did the weaknesses in state-capacity aggravate the situation? How did human security concerns threaten a resurgence of the structure of violence during post-conflict reconstruction, and how did they also serve to undermine state-security? What was the nature of Rwanda's development in state capacity during post-conflict reconstruction? How did the development in Rwanda's state capacity during post-conflict reconstruction serve to address the human security concerns that threatened and subsequently led to the resurgence of violence?

Accordingly, in light of the major and specific questions that oriented this study, four questions are adopted at this point to complement, in terms guiding the of logic of the conclusions, the major and specific questions of this study; to guide the major conclusions of this study. They are as follows: What does this study teach us about Rwanda's post-conflict reconstruction period and the narratives about Rwanda? What is the meaning of the Rwandan post-conflict reconstruction experience in light of the conceptualisation and operationalisation of human security and state capacity during post-conflict reconstruction situations punctuated with a resurgence of violence? What is the meaning of this study in light of the application of social science research methods in post conflict reconstruction research? What is the meaning of this study in light of security policy thinking, making and implementation during post-conflict reconstruction situations punctuated with a resurgence of violence?

The afore-mentioned questions depict the four major elements to PhD form as delineated by Estelle M. Phillips and Derek S. Pugh.¹¹³⁷ The elements are as follows: Background theory, focal theory, data theory and contribution, and these four elements oriented the narrative form of this study.

First, as regards question one of the specific questions of the study, and question one of the complementary questions, from the examination of the histories about Rwanda, particularly those narratives that analyse the Rwandan genocide in light of the general historicity about Rwanda, it emerges that a considerable measure of the surveyed narratives about Rwanda are replete with emotional fallacies. Betty Mattix Dietsch discusses eight emotional fallacies that undermine the path to objectivity by researchers. They include: argumentum ad hominem/straw man, bandwagon, plain folk appeal (ad populum), status appeal, scare tactics, testimonial, improper appeal to authority, and glittering generality.¹¹³⁸

Accordingly, where the genocide and its outcome appeals to emotions, objectivity is either consciously or inadvertently compromised even in the writing of seasoned academicians. Without delving into details, this study has variously outlined bits of information that beg questions.

On the second and third question of the specific questions of the study and question two of the complementary questions adopted to further guide the logic of the conclusions of this study, in detail, the study has presented off-putting evidence to the generalisation that: it was strength in the capacity of the Rwandan state that structured the genocide in Rwanda. It has succinctly emerged that improvidence of the critical human needs which to this study guarantee human security, the survival of the individual(s), and the subsequent manipulation of the ``want`` for the human needs by the political demagogues (both the antagonists and protagonists) have been part of the historical structure of violence in Rwanda. The government as the chief agency of the state ought to be at the

¹¹³⁷ See, Estelle M. Phillips and Derek S. Pugh, ``How to get a PhD: A handbook for students and their supervisors,`` Fourth edition (Open University Press, 2005): 56-59, for a detailed discussion of the form to PhD.

¹¹³⁸ See, Betty Mattix Dietsch, *Reasoning and Writing Well: A Rhetoric, Research Guide, Reader and Handbook*, Third Edition (Mc McGraw Hill):278-286), for a detailed discussion of the emotional fallacies and how they manifest themselves in writing and research.

vanguard of the providence of human needs to the individual(s). Improvidence on the side of government depicts a lapse in the functionality of the state and it is a manifestation of low levels of state capacity. The genocide regime in Rwanda successfully manipulated the improvidence of human needs to mobilise the Hutus into group violence against the Tutsi and Hutu moderates. The conclusion has generally been that successful mobilisation of the Hutus into the systematic decimation of majorly the Tutsi; was strength in the capacity of the Rwandan government, but this study teaches us that such a conclusion ought not to be taken as a given in light of evidence to the effect that the historical structure of violent conflict in Rwanda depicted the extent to which improvidence of the critical human needs on the side of the authorities contribute to the structure of violence in a conflictual society.

Also an addendum has been empirically made to the application of the human needs approach to the analysis of the Rwanda experience. From the evidence about Rwanda, it emerges that it is not the absence of all human needs that lead to violence, but rather the absence and the manipulation of those that are critical to the survival of individual(s) within a given society by the political demagogues. A review of histories and the survey of literature about Rwanda revealed that issues of land and the enduring refugee problem have been central to the structure of violence in Rwanda. It is this system of things that makes human security an appropriate addendum to the theorisation about human needs as part of the causative equation of conflict.

The emerging human needs-human security dialectical approach to conflict analysis does not negate the important effect of other intervening factors in the structure of violence. But much as they ought to be factored in the analysis of conflict, conceptual density on the particularities of the causative structure of violence require an empirical unit based inquiry (unit analysis) of the particular concepts that guide the area that is; conflict research, and how the concepts and the various levels of theorisation contradict and complement each other in the endeavour, that is, explaining and understanding our conflict earth. Neither the contradictions nor the complementariness ought to be canonised. It is constantly problematisation of the concepts and theories that orient conflict research; in different conflict situations that will allow a deep understanding of the particular understanding of the instances where either contradictions or

complementarities obtain and the implication on policy making aimed at thwarting violent conflict.

As such, it is a major recommendation of this study that the human needs-human security dialectical approach to conflict analysis be replicated in the context of other conflict areas in the Sub-Saharan Africa, particularly in the: South Sudan, Central African Republic, Democratic Republic of Congo and the conflict zones of West Africa.

Related to all the specific questions of the study and to question one of the complementary questions and complementary question three ; that partly orients the logic of this study, it is a major epistemological recommendation of this study that more studies ought to problematise the conclusions made about the Rwandan genocide experience as a research agenda aimed at a detailed understanding of the emotional fallacies in conflict research and how they undermine the path to objectivity in conflict research and its outcomes. Indeed in light of this recommendation it ought to be outlined that epistemologically speaking this study had to adopt the logic of triangulation, particularly the logic of data triangulation and methodological triangulation, in order to attain a semblance of validity test of its sources of evidence. This means that the nature of conflict research require an understanding of the various techniques of social science inquiry for a research cannot easily tell, before an inquiry and even when a pilot study was done, the validity of the sources of evidence that will facilitate conceptual and empirical density.

On the third question of the specific questions and the fourth question of the complementary questions which further guide the logic of the conclusions, but obtaining from the logic of question two of the complementary questions; in specific details, the Rwandan experience with post-conflict reconstruction reveal the following about human security and state capacity:

On human security and the debate surrounding the concept and its operationalisation, the Rwandan experience brings to bear the possibility of the appropriateness of the concept in explaining and understanding the structure of violence during and after conflict (resurgence of violence). The resurgence of violence in Rwanda particularly obtained

from the Hutu refugee phenomenon in Eastern Congo, and indeed refugee situations are perceived as human insecurity situations.

However, much as refugee situations have been generally reduced to human insecurity situations, this study particularly highlights how refugees as agents of conflict help to clarify on the alleged conceptual conflict between human security and state security. The study using evidence from Rwanda empirically sustains the ``security-dialectics`` a somewhat ``communicative zone`` between the two security areas.

The communication is at the causative of violence as the threats to the two security areas, human and state security reinforce each other to lead to a resurgence of violence in post-conflict situations. The communication is facilitated by the manipulation of the human needs of refugees that are critical to their survival, which is human security in specific sense.

The communication does not however obtain well at the security policy making and implementation level during post conflict reconstruction situations punctuated with a convergence of threats to human and state security. Prioritisation becomes problematic even among international actors. In the context of Rwanda, to the international actors, the challenge was to undo the convergence of the threats, symbolised by the quest to separate refugee warriors from the bonafide refugees. The course of policy action to be taken was hard to fathom. The separation would have allayed the military security threat which the refugee warriors posed to the Rwandan state.

Progress was not made on the separation of refugees, and to the Rwandan state, survival was primary and the human security of the bonafide Hutu refugees were inconsequential and the primary concern of Rwanda's security policy was the annihilation of the refugee warriors. Even the bonafide refugees were perceived to be part of the existential threats as the warriors were recruiting from that group.

So, to the new government in Rwanda, the appropriate security policy option to addressing the Hutu refugee phenomenon in Eastern Congo was generally militaristic. This lead to a ``boomerang effect`` as in the quest for state security, the survival of the bonafide Hutu refugees was further undermined. This system of things implies that if at

the causative level of violent conflict the convergence of threats to human security and state security can be undone, then, at the policy level, addressing the threats to state security may not necessarily conflict with human security concerns. This hypothesis ought to be further investigated by research that will replicate the concerns of this study.

On state capacity, from the Rwandan post-conflict reconstruction, coherent evidence is adduced to the effect that weaknesses in state capacity, which to this study is precisely taken to be the ability of the state to plan and execute its functions particularly the providence of the critical human needs to the survival of individual(s), complement the political objectives, particularly the quest for political power by the political demagogues who exploit the needs of the masses which are critical to their survival. Political demagogues in Rwanda exploited the critical human needs of Rwandan's to repudiate the Tutsi led war against the Habyarimana led Hutu government as a war which was against the survival of the majority Hutu. The historical animosity between the Hutus and the Tutsis was as literally fuelled by the state/government; that was weak in providing for its people. But for the chicanery of the Hutu politicians, the Hutu masses were cogently coalesced into the violence which culminated into the genocide of 1994.

Accordingly, the complicity of the masses in the genocide violence was as a result of the remarkable confluence of their thoughts with the propaganda of the Hutu political elite who were connoisseurs as far as manipulating ``want`` to inculcate ``fear`` in the minds of the Hutu masses. However, to pass the ability to manipulate improvidence by the agency which was supposed to provide as a strength for the then Rwandan government is to remonstrate against human security and a recipe for ``conflict continuous`` situations.

Indeed, we learn from Rwanda's experience that group violence was a corollary of improvidence of critical human needs on the side of the government and the calculated manipulation of that improvidence by the Hutu political elites. We also understand the debilitating effects of violent conflict on state capacity. The conflict which culminated into the genocide in Rwanda undermined Rwanda's state capacity. The post-genocide government as such had to embark on the rather daunting task of reconstructing the state in Rwanda, and it is the Rwandan experience that provides an empirical case for the imperativeness of forging government institutions as an antecedent to the

operationalisation of a liberal agenda as a somewhat axiomatic framework recommended by the international democratic doctrinaires to countries emerging from violent conflicts. This scheme of things points to the need for a somewhat democratic-dialectical academic and policy discussion on not only democratic practices to be executed during post-conflict reconstruction situations of a given state(s), but also the enabling government/state institutions critical to democratic development as part of the post-conflict reconstruction agenda.

Granted are the merits of democracy as a system of governance, and indeed dismissing its salutary effect would be like, if we may appropriate the words of the essayist, Arthur Koestler, in his essay: "Promise and Fulfilment: Palestine 1917-1949": "...the classic argument of ruthless totalitarianism against the claims of humanity." But the rather forcible imposition of liberal political practices on countries emerging from violent conflicts can only make the post-conflict political elites of a given country either recalcitrant of international norms or become pretenders at liberal practices; that is adopting liberal practices for the purpose of gaining access to conditioned foreign aid for reconstruction.

In light of that, the new government in Rwanda was cognizant of the salutary effect which aid would have had on its capacity to function, but it was cynical of any attempt that would have guaranteed the political involvement of particularly the members of the genocide regime in the functioning of the new government. But the liberal inclined government which the donors envisaged had to be inclusive. The outcome was pretence at the inclusion of the Hutu as many later resigned their positions as the Tutsi led government was impervious to the discursive requirement of democracy. Hutu politicians in the post-genocide government felt continuously beleaguered leading to flight than fight.

It should be particularly outlined that the fear of the Tutsi led government in democratising accrued to the dearth of strong functioning government institutions that would have guaranteed regime security and state security in the midst of the Hutu refugee warrior military threat in Eastern Congo.

However, as the new government was resisting the politics of inclusion as a pillar of democracy as the political strand of liberal peace, it assiduously operationalised the liberalisation of its economic operations. This was a result of the direct benefits that liberalised economic practices provide to emerging countries.

In the interim, the new government's pretence at the politics of inclusion and observance of human rights, coupled with its assiduous efforts in operationalising the liberal economic agenda, guaranteed its access to foreign assistance. The foreign assistance was particularly inclined to institution building, yet, the conditionality before access to foreign assistance was on democratic practices like the observance of human rights. But observe human rights with what?

Indeed, the more gains Rwanda registered in terms of state-capacity, owing to the increase in foreign assistance, the more it ascended, albeit cautiously, towards the operationalisation of the political liberal agenda of which the adoption of the Rwandan Constitution of 2003 is exemplar. As government institutions became functional, the confidence of the new government became manifest that it even resolved to forcefully ensure the return of the Hutu refugees in Eastern Congo. Hitherto, to the new government in Rwanda, it was judicious to have the rather belligerent refugees in Zaire (Congo DRC) than in Rwanda. Much as the outcome of the policy course of action taken by the Rwandan government, it goes without saying that gains in state capacity, depicted in the increased functioning of the institutions of governance in Rwanda, saw the new government in Rwanda gaining confidence in adopting democratic practices, though not at the fullest.

Inference can therefore be made from the Rwandan experience that during post-conflict reconstruction the governance debate ought not to be on whether to liberalise before institutionalisation, but rather on the institutions to nurture for the liberal agenda to blossom.

Also the Rwandan reconstruction experience teaches that whereas aid is sacrosanct in kick-starting the functionality of the institutions for state capacity, in the long run of the post-conflict state, the focus ought to shift to measures aimed at improving GDP and the trade balance deficit of the emerging post-conflict state. It is this system of things that

makes liberal economics a practice paramount in the reconstruction of a conflict emerging state. Attempts to foster industrialisation, attempts to attract investors, and other measures aimed at encouraging exports and job creation ought to be part of the agenda for reconstructing a given state. A guarantee of access to foreign aid to augment the revenue of post conflict state is important but insignificant in the long run recovery of a post-conflict state, and the international actors ought to focus on encouraging measures to improve a country's GDP and trade deficit.

It should also be outlined that the Rwandan experience, which this study documents corroborates the following specific conclusions concerning the conceptualisation of state capacity and human security in post-conflict reconstruction situations.

On state capacity, whereas regimes that preside over group violence have been variously referred to as having been capable in their ability to mobilise for group violence, it deserves emphasis that the ability to organise violence against a group of people is an indication of low levels of state capacity. Maintenance of a hegemonic multi-ethnic alliance is strength on the side of the government presiding over a multi-ethnic society. Where a government, instead of building solidarity builds divisionism, then, such a government, as a functioning agency of the state, ought to be perceived as weak.

Research on state capacity in the context of post-conflict reconstruction ought to always focus on understanding the underlying causes of violence, and how governments can be reformed not exploit the underlying causes to serve political objectives, but rather to thwart those ``conflict carrying`` challenges.

The conclusion that strength than weakness in state capacity precipitate group violence is a concomitant of the kind of social science research that analyse violent conflict at its manifestation level- in the theatre of war. However, in the latency stage, the ``tipping point`` builds up as a result of the government's inability to manage the tension in society, and recourse to highhandedness, manipulation of the impoverishment of the population to hoodwink them into joining group violence for the purpose of serving political objectives of the political elites in government becomes a somewhat survival strategy for the beleaguered regime in power.

Accordingly, the application of state capacity in the analysis of violent conflicts ought to be problematised by looking at its different indicators to guard against misconstruing the ability to organise destructive and distractive violence for strength in state capacity. It is a normative submission of this study that state capacity ought to be analysed and perceived in its positive effect on a given society.

It should also be underscored that developing state capacity after post-conflict reconstruction requires the availability of the local political elite with capacity to play a vanguard role in accelerating development in state capacity. This does not negate the imperativeness of internationalised development assistance during post-conflict reconstruction, but local content in terms of a capable political elite base to exert unified leadership is paramount if the gains of the post-conflict reconstruction period are not to be reversed. Indeed, even before embarking on general institutionalisation, the daunting task should be on how to coalesce the local political actors to be at the centre of reconstruction and the aftermath of the reconstruction period.

From the logic of the preceding paragraph, it goes without saying that further research is necessary to unravel how the local political elite base can be harnessed during post-conflict reconstruction period as a way of ensuring government presence and influence beyond the participation of the international actors.

On human security, during post conflict reconstruction, governments are preoccupied with the threat of the resurgence of violence and how to thwart it. The state capacity is consciously directed to serve that purpose. Indeed, though governments are important actors in the sustenance of human security, their preoccupation with the danger of the reoccurrence of violence makes them to put emphasis on the survival of the state (state security) than on the survival of individuals. Human security concerns can be sacrificed even where they converge with state security concerns at the causative level of violence. This points to the imperativeness of other actors to intervene to embark on the cause for human security in the midst of the state's quest for security.

It is the logic depicted in the preceding paragraph that underscores the functioning necessity of international intervention to uphold the respect for human security. The controversy at this level is however on the *locus operandi* of the international actors in

this system of things, where the survival of the state is at stake. The questions of who to lead the intervention, what the intervention should entail and what its mandate should be, and how to ensure timely intervention, are central to the operationalisation of the *welfarist*, norm of ``humanitarian intervention``, a favoured approach to promoting human security with Canada as its guardian.

Needless to mention that where the state is threatened, as the Rwandan experience has indicated, human security can be sacrificed for the survival of the state, but how international intervention is supposed to be operationalised without jeopardising the state's legitimate quest for security is a research gap that needs further inquiry in different conflictual situations. The operationalisation of the human security agenda where state security is at stake is a puzzle that public policy thinking needs to focus on for human security is as important as state security. No security area ought to be sacrificed at the expense of the other for at the causative level of violence the two security areas have a somewhat ``convergence effect`` that lead to ``conflict continuous`` situations.

Emphasis should be added that there are several interesting themes about Rwanda in its yesterday, today and tomorrow; that the temptation for many a consumer and even a producer of knowledge about Rwanda would be to expect a monograph of this nature to explain all the thematic concerns of Rwanda in their breadth. The plots and subplots of post genocide Rwanda are several and diverse. This study lightly touches the several subplots for instance the role of the Church and how the Rwanda society was systematically radicalised during the time that preceded the genocide, but this is done in a way that maintains the monographic treatment of this study, that is understanding and later explaining the meaning of the resurgence of violence which occurred in Rwanda. The context is the meaning of how the violence was externally addressed.

Indeed, an attempt to explain everything about Rwanda, if an appropriation of Arthur Koestler's phase is appropriate, could be like writing a detailed description of all the threads of an oriental carpet. This study metaphysically picks on a single thread, that is the resurgence of violence in Rwanda for the period 1994-2005 and the context is external; the Hutu refugee warriors in Eastern Zaire (now DRC). So, how this violence played out internally and how it impacted on the human security condition of the people

inside Rwanda is an area that ought to be investigated in a single and particular research agenda, and the point of departure may be the several incursions which the Hutu refugee warriors made into Rwanda during the period in remove 1994-2005.

Also the readership of Rwanda is diverse and the interests of the readership are diverse and the nitty-gritty of their interests abundant. A feminist will read and only be satisfied with confluence of the analysis with the gender issues, and economists will literally scan for macro and micro economic data and their lenses of reading Rwanda will be guided by the economic know-how and their interests in reading material about Rwanda will take that direction. An archaeologist will look for the artefacts of the Rwanda society and its violence.

As such disciplinary boundaries ought to be taken into consideration when reading and writing about Rwanda, otherwise the catastrophe of talking past each other in the scholarship about Rwanda, selective perception, selective reading, and improper appeal to authority will always define the free trade in the ideas about Rwanda. But that aside there are concerns that ought to be problematised from all disciplinary angles if scholarship about Rwanda is to be of the peace dividend. For instance the imperative of problematising the development enterprise of Rwanda as it is known at its present. From the political science angle, the question should be whether Rwanda has ignored the democracy of the politician by limiting his access to political space for competition but to make gigantic strides in ensuring the democracy of the common man through provision of the basic needs; education, health, personal security, among others. Will the inadequacies in the democracy of the politician be compensated for by the democracy of the common man or a crash in the order of things might be highly probable? This particular study does not discuss that side of the Rwandan scheme of things, given its time scope (1994-2005), its geographical scope (that concentrates on the externality of the resurgence of violence which occurred in Rwanda) and its content scope that is on the refugee phenomenon, but to be aware of the probable conflictual nature of that kind of arrangement. Research agendas can focus on that direction with the objectivity which it requires as a move towards sustaining the development and peace in Rwanda as we know it at the present

Accordingly, this particular study has problematised Rwanda's post-conflict reconstruction experience in light of the conceptual framework availed by human security, state capacity and general discourse on post-conflict reconstruction situations. The purpose was to understand and explain the Rwandan experience with the resurgence of violence which accrued from the Hutu refugee phenomenon in Eastern Congo, then Zaire. The monograph is written in theory building structures and a reading of one Chapter leads into the logic of a following chapter. Selective reading may lead to a selective understanding of the concerns of the narrative of the study as a result of missing out the way the chapters are interwoven.

But anecdotally, the political map of Great Lakes Region of Africa, where Rwanda lies, continues to be literally dotted with violent conflictual situations, and the example of the recent resurgence of violence in the South Sudan is instructive on this. Somalia is yet to be pacified. Kenya continues to grapple with visitations of tribal violence and the threat of terrorism as a result of the *spill-over* effects of the Somalia insurgency. The Democratic Republic of Congo remains a *lame leviathan* that its Eastern part remains in a *conflict continuous* situation. In Uganda the Lord's Resistance Army with Joseph Kony at the helm is still at large in the forests of the Central African Republic, and the fact that Uganda has never had a peaceful transfer of power despite the relative stability it has enjoyed during the reign of Yoweri Museveni is an issue that does not augur well for the continued stability of the East African state. The United Republic of Tanzania remains relatively stable but with latent fragility as far as its federation with the Island of Zanzibar is concerned, and public corruption continues to undermine public service delivery. Rwanda remains stable but fragile owing to history, the continued existence of the FDLR in Eastern Congo, and the internal power struggles and bickering within the ruling Rwanda Patriotic Front. Burundi is relatively stable but grappling with high levels of poverty and its politics is still generally ethnicised. Research about this region needs to focus on unravelling the practical governance challenges to the stability of the region and the practical governance approaches to thwarting conflict carrying practices.

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5. Personal interview with a former Hutu refugee now a settler near Kyenjubu estate, taken on, August, 28th, 2013, and the name is withheld on request.
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Appendices

Appendix 1

Table showing *approximation of donor assistance for the judicial sector as of the year 1997*

	Activity	Budget (USD)	Donor
Human Resources	120 Judges	550,000	Belgium
Training	(`Magistrats non-juristes`)	534,000	UNDP
	100 Judges (idem)	380,000	Canada
	104 Judges (idem)	150,000	Switzerland
	50 deputy prosecutors	150,000	UNDP
	50 deputy prosecutors	170,000	Belgium, Switz
	150 JPIs	300,000	Canada, UNICEF
	148 JPIs/JPOs	300,000	Canada, UNHCR
	150 JPIs/JPOs (Ongoing)	150,000	Switzerland
	50 registrars	150,000	Switzerland
	50 secretaries	700,000	
	Law Students (University of Butare)	1,000,000	USAID

Salary	50% salary top-up (1,300 judicial personnel)	1,000,000	Canada
Institutional/advisory support	1 Lawyer at Ministry of Justice(ongoing)	1,000,000	UNDP (NETHERLANDS)
	5 legal advisors for prosecutor`s Offices (ongoing)	1,000,000	NETHERLANDS
	3 Lawyers at Ministry of Justice (completed)	1,000,000	BELGIUM
	2 Lawyers at Ministry of Justice (Pipeline)	1,300,000	BELGIUM
	Support to the Judicial Training Centre	1,100,000	BELGIUM
	Support to prosecutor`s offices and judicial police		
Material resources	Rehabilitation of the Supreme Court Building(pipeline)	1,700,000	EU
Buildings	Rehabilitation of the Court of Appeal building	450,000	UNDP(JAPAN)
	Rehabilitation of the Tribunals of First	40,000	USAID CHRISTIAN AID

	Instance building	200,000	USAID
		1,500,000	EU
	Rehabilitation of Cantonal Tribunals (pipeline)	235,000	EU
	Rehabilitation of the <i>``Bureau du Procureur General Pres la Cour Supreme``</i> (pipeline)	400,000	FRANCE
	Rehabilitation of Prosecutor's Offices	700,000 ?	SWITZERLAND BELGIUM
	Rehabilitation of Judicial Training Centre (Nyabisindu)	120,000	TROCAINE
	Small-scale material assistance for tribunals of first instance	280,000	UNDP
Equipment	Benches, desks, chairs, etc	400,000	UNHCR
	Office material (copiers, type-writers, etc)	500,000	EU
	Equipment for Cantonal Tribunals		

	(pipeline)	400,000	USAID
	Cars, computers, etc. Ministry of Justice	1,886,000	UNDP (NETHE)
	Cars, motorcycles, copiers, printers, etc for the ``Commissions de Triage``/ Mobile Groups	200,000 200,000	UNHCR BELGIUM
	Office materials for the Law Faculty (Butare)	150,000	UNDP
	Legal documentation	1,900,000	
	Ministry of Justice Library	250,000	
Detentions	Extension of Prisons and / or construction of new detention centres	1,000,000 50,000	
	Improvement of living conditions for vulnerable groups		
	Construction of medical, water and sanitation facilities	247,0000	
	Extensions for women and Children	400,000 130,000	
	Identification of		

	detainees		
	Training of 400 civilian prison guards (demobilised military)	600,000	
	Capacity building of Communal Police for transfer of detainees	?	
	Prefectural funds for small scale improvements in cachots	500,000	
	Improvement of living conditions in cachots (pipeline)	60,000	
		?	

Adopted from Stef Vandeginste, Justice For Rwanda and International Cooperation, Universiteit Antwerpen, September 1997:5-6 and 9-10

Appendix 2

Sample of the guiding questions for key informant interviews and some focused group discussions conducted outside Rwanda (Tanzania, Uganda and Eastern Democratic Republic of Congo).

1. Where were you born from?
2. Are you a Munyarwanda?
3. Are some of your relatives Banyarwanda?
4. Do some of your blood relations leave in Rwanda?
5. Are they your children, your parents, your brothers, your sisters or inlaws?
6. Apart from Swahiri and French which other language do you speak?
7. Do you speak Kinyarwanda?
8. Do you fear being identified as a Munyarwanda?
9. Why have you not returned to Rwanda?
10. Do you hope to settle in Rwanda in the future?
11. Do you love to go back to Rwanda?
12. How did the genocide in Rwanda affect you?
13. What was your problem before you came here?
14. In how many countries have you leaved?
15. Why did you leave your country?
16. How did it affect you?
17. What problems did/have you meet after leaving your country?
18. Did your home government help you to get out of those problems?
19. What happened when the government did or did not help you?
20. Do you think the government did something to get you out of your problems?
21. Did you hear or have you heard of any group organising
22. What was the ethnic composition of that group?
23. Have they ever approached you or someone whom you know?
24. How did they try to convince you to join them?
25. Did they try to threaten you?
26. How did they try to threaten you?
27. Do you hate your home government?
28. Do you find the government good?
29. Why have you not returned home?
30. For how long will you be here?
31. Why do fear to go back home?

32. What is your fear at the moment?
33. What do want in your life now?
34. How will it affect you if you do not get it?

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Nationality: Ugandan
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EDUCATIONAL BACKGROUND

Doctoral candidate : University of Erfurt(2012-2015)

Topic: *Human-Security, State-Capacity and Post-Conflict Reconstruction: An analysis of the question of development oriented governance in Post-Genocide Rwanda, 1994-2005.*

Masters of Arts in International Relations and Diplomatic Studies

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Dates: From September 2007 to November 2009.

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Dates: From September 2003 to July 2006.

WORK EXPERIENCE

Teaching Assistant, Kyambogo University, 2007.

Assistant Lecturer, Kyambogo University, 2010.

Research Assistant, Makerere University, 2009.

International Relations Officer, Uganda Post Limited, 2011.

FIELD WORK VISITS

Kenya, Rwanda and Eastern Congo, April, July, 2014.

Uganda, December, January, 2013.

Rwanda, July, September, 2013.

Uganda, Tanzania and Eastern Congo-Goma, September, 2011.

Uganda and Rwanda, 2010.

